

**BUILDING STANDARDS COMMISSION**

2525 Natomas Park Drive, Suite 130  
Sacramento, California 95833-2936  
(916) 263-0916 FAX (916) 263-0959



January 23, 2014

Michael Heroux, Building Official  
City of Chino  
P.O. Box 667  
Chino, CA 91708-0667

RE: Ordinance #2013-009, 2013-01

Dear Mr. Heroux:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 11, 2013.

Our review finds the submittal to contain two ordinances modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modifications are accepted for filing and are enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Enrique M. Rodriguez'.

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

DENNIS R. YATES  
Mayor

GLENN DUNCAN  
Mayor Pro Tem



CITY of CHINO

EARL C. ELROD  
TOM HAUGHEY  
EUNICE M. ULLOA  
Council Members

MATTHEW C. BALLANTYNE  
City Manager

December 5, 2013

California Building Standards Commission  
2525 Natomas Park Dr. , Suite 120  
Sacramento, California 95833

RE: City of Chino, Building Ordinance

Mr. Dave Walls:

The City of Chino has adopted the current Building, Plumbing, Mechanical, Electrical, Fire, and Existing Building Codes of the State of California.

The City of Chino has recommended changes and modifications to the Codes and have advised that certain said changes and modifications to the 2013 Editions of the California Building, Residential, Electrical, Plumbing, Mechanical, Green Building Standards, and Fire Codes are reasonably necessary due to local conditions in the City of Chino and have further advised that the remainder of said changes and modifications are of an administrative or procedural nature, or concern themselves with subjects not covered by the Code or are reasonably necessary to safeguard life and property within the City of Chino.

The enclosed City Ordinance is for your files.

If additional information is desired please telephone this office at (909) 334-3308.

Sincerely,

Michael Heroux  
Building Official



**ORDINANCE NO. 2013-009**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHINO, CALIFORNIA, AMENDING TITLE 15 AND TITLE 8 OF THE CHINO MUNICIPAL CODE, ADOPTING THE 2013 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, KNOWN AS THE CALIFORNIA CODE OF REGULATIONS, TITLE 24 (CCR, T-24), INCORPORATING THE 2012 INTERNATIONAL BUILDING CODE VOLUMES I AND II, THE 2012 INTERNATIONAL RESIDENTIAL CODE, THE 2012 UNIFORM MECHANICAL CODE, THE 2011 NATIONAL ELECTRICAL CODE, THE 2012 UNIFORM PLUMBING CODE, THE 2013 CALIFORNIA FIRE CODE, 2013 BUILDING ENERGY EFFICIENCY STANDARDS AND CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO.**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHINO HEREBY DOES ORDAIN AS FOLLOWS:**

**8.50.110 Charges for costs of abatement.**

(A) After the abatement of any public nuisance created or maintained in violation of any provision of this Code, adopted codes, or provisions of State or Federal law that the City may enforce, the Director of Community Development, or the Director's designee, shall thereupon serve the person who permitted, allowed, created, maintained or authorized the creation or maintenance of the public nuisance a statement of costs of abatement. Service shall be made pursuant to Section 8.50.090 hereof. The costs shall become a debt against the property upon which the nuisance existed, as well as a debt in favor of the City and against each person or entity who permitted, allowed, created, maintained or authorized the creation or maintenance of the public nuisance. Payment of the costs of abatement shall be due on the date of the statement of costs, unless timely and properly appealed as provided in this Chapter.

(B) "Costs of abatement" means any costs incurred by the City to abate a nuisance, whether the City causes abatement through civil, criminal, administrative or other action, in which case, the City shall be entitled to recover all costs of abatement, staff costs, and administrative costs incurred by the City. It is the intention of the City to provide for recovery of all costs of abatement to the maximum extent provided by law. The City may recover such costs of abatement by any means authorized by law.

Section 1: Chapter 15.01 of the Chino Municipal Code is amended and shall read as follows:

**TITLE 15 – BUILDINGS AND CONSTRUCTION**

**Chapter 15.01 - FINDINGS**

**Sections:**

**15.01.010 - Findings.**

**15.01.010 Findings**

The City Council finds that the requirements set forth in this title are reasonable and necessary modifications because of climatic, geological and topographical conditions within the City of Chino.

The "findings of need" contained herein address each of these conditions and present the local situations which cause the established amendments to be adopted.

- A. The community experiences frequent low humidity, summer temperatures exceeding one hundred degrees Fahrenheit, and severe Santa Ana winds reaching gusts of ninety miles per hour. Adverse climatic conditions increase the likelihood of fire. Minor fires can rapidly spread because of the climate and vegetation.
- B. The community periodically experiences drought and a resultant limited water supply. The limited rainfall and storage capacities, and continued consumption demands require sound management of water resources and conservation where possible. There is a need for changes and modifications in the California Building and California Plumbing Code, which will contribute to water conservation and water for suppression of large fires.
- C. The community is located in an area of continuing seismic activity. Existing and planned development is at risk from damage and fire because of this activity.
- D. The configuration and type of existing development require additional review. Wood construction, including wood shingle and wood shake roofing, presents extreme adverse fire conditions as does the close proximity of some buildings.
- E. There are a number of significant barriers and obstructions to quick emergency response. These include: increased vehicular traffic on surface streets; additional traffic signals; freeway, expressways and storm drain channels which bisect the city; and the California Institution for Men. Existing older streets were in some cases designed as storm drains and become impassable during heavy rainfall.
- F. The community is located in an air quality nonattainment region. Research conducted by the South Coast Air Quality Management District and reflected in the 2003 Clean Air Plan describes emissions and pollutants caused by incomplete combustion of wood burning devices, such as fireplaces. Emissions and pollutants may be greatly reduced with the use of gas-fired type fireplaces. Clean air vehicles, such as CNG (compressed natural gas) automobiles, also reduce emissions and pollutants. Installation of a gas line within a private garage to provide for future CNG vehicles will allow for these types of reductions.
- G. According to government statistics, drowning is the number one cause of accidental death for children under the age of five in California, Arizona and Florida. Nationally, drowning is the second leading cause of accidental deaths to children under five years of age. Between 1990 and 1998 there were five thousand eight hundred three children five years of age or under that were drowning victims in the United States. A well designed pool fence can change those facts for the better.

Section 2: Chapter 15.02 of the Chino Municipal Code is amended and shall read as follows:

**Chapter 15.02 - ADMINISTRATIVE CODE**

**Sections:**

**15.02.010 - Adopted.**

**15.02.020 - Additions, deletions and amendments.**

**15.02.030 - Uniform Building Code—Incorporated.**

**15.02.040 - Permit fees.**

**15.02.010 - Adopted.**

There is hereby adopted by reference the Uniform Administrative Code, 1997 Edition. That certain document, three copies of which are on file with the City of Chino, being marked and designated as the Uniform Administrative Code, 1997 Edition, is adopted as the Uniform Code of Administration of the various other building and structural codes adopted in this chapter. This code will replace the administrative and enforcement provisions of the other codes. Each and all regulations in the code are referred to, adopted, and made a part thereof as though fully set out in this section, excepting such portions as are deleted, modified or amended by this chapter.

**15.02.020 - Additions, deletions and amendments.**

The Uniform Administrative Code, adopted by Section 15.02.010, is amended as set out in this chapter.

**15.02.030 - Uniform Building Code—Incorporated.**

Amendments to the 1997 Edition, Uniform Building Code, as detailed in Chapter 15.04 of this title are referenced and incorporated into the corresponding sections of the 1997 Edition Uniform Administrative Code.

**15.02.040 - Permit fees.**

Fees shall be determined in accordance with the 1994 Edition of the Uniform Administrative Code as follows:

Table No.'s 3A, 3E, 3G and 3H of the 1994 Uniform Administrative Code are deleted.

Table 3C, Mechanical Permit Fees, is amended to read: "for the issuance of each mechanical permit \$42.00."

Table 3D, Plumbing Permit Fees, is amended to read: "for the issuance of each plumbing permit \$52.00."

Section 3: Chapter 15.04 of the Chino Municipal Code is amended and shall read as follows:

### **Chapter 15.04 - BUILDING CODE**

#### **Sections:**

- 15.04.010 - Adopted.**
- 15.04.020 - Additions, deletions and amendments.**
- 15.04.030 - Section 501.2 amended—Address numbers.**
- 15.04.040 - Section 704.8.3 added—Industrial building doorways.**
- 15.04.050 - Section 903.2 Amended—Automatic sprinkler systems.**
- 15.04.060 - Chapter 31, Section 3109.2 amended—Definition.**
- 15.04.061 - Chapter 31, Section 3109.4 amended—Residential swimming pools.**
- 15.04.062 - Chapter 31, Section 3109.4.1 amended—Barrier height and clearances.**
- 15.04.063 - Chapter 31, Section 3109.4.2 amended—Indoor swimming pools.**
- 15.04.064 - Chapter 31, Section 3109.4.4.5 amended—Exempt facilities.**
- 15.04.170 - Chapter 1 Division II adopted.**
- 15.04.180 - Chapter 1 Division II, Section 105.2 amended—Exempted work.**
- 15.04.181 - Chapter 1 Division II, Section 109.1 amended—Payment of fees.**
- 15.04.182 - Chapter 1 Division II, Section 109.2.1 added—Permit fees.**
- 15.04.183 - Chapter 1 Division II, Section 109.2.2 added—Plan review fee.**
- 15.04.184 - Chapter 1 Division II, Section 109.2.3 added—Inspection fee.**
- 15.04.185 - Chapter 1 Division II, Section 109.6 amended—Refunds.**
- 15.04.190 - Appendix Chapter J amended.**
- 15.04.191 - Appendix Chapter J.**
- 15.04.192 - Appendix Chapter J, Section J103.1 amended—Permits required.**

#### **15.04.010 - Adopted.**

There is adopted by reference the 2013 California Building Standards Code incorporating the 2012 International Building Code, Volumes I, II, and certain appendices. That certain document, three copies of which are on file with the City of Chino, being marked and designated as California Building Standards Code, 2013 Edition, Volumes I, II as copyrighted 2013 by the International Code Council, is adopted as the Building Code of the City of Chino, for regulating the erection, construction, enlargement, alteration, repair, moving, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures in the City of Chino, providing for the issuance of permits therefor; and each and all such regulations are referred to, adopted and made part hereof as though fully set out in this section, excepting such portions as are hereinafter deleted, modified, or amended by this chapter.

#### **15.04.020 - Additions, deletions and amendments.**

The California Building Code, adopted by Section 15.04.010, is amended as set out in this chapter.

#### **15.04.030 - Section 501.2 amended—Address numbers.**

Section 501.2 Address numbers. Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be numerals or alphabetical letters. Numbering for one and two-family residential dwellings shall be 4 inches (102 mm) high with a minimum stroke width of 0.5 inch

(12.7 mm). Numbering for buildings other than one and two-family residential dwellings shall be a minimum of 8 inches (203 mm) high with a minimum stroke width of 1.0 inch (25.4 mm).

**15.04.040 - Section 705.8.7 added—Industrial building doorways.**

Section 705.8.7 of the California Building Code is added as follows:

Section 705.8.7 When adjoining industrial properties are owned by the same person or entity, the fire resistive exterior walls of an existing industrial building located within the ten (10) feet of the common property line may contain a doorway provided that the following conditions must be met:

- a. The doorway would be permitted if the common property line did not exist.
- b. The plans for the construction of the doorway must be approved and a building permit issued by the Building Official who is authorized to require reasonable fire protection measures as a condition of the issuance of the building permit.
- c. Prior to the issuance of a building permit, the owner must record a covenant as to each property that, upon the sale of the property, the fire resistive exterior wall shall be restored to meet the requirements of this section for each property qualifying for such doorway.

**15.04.050 - Section 903.2 Amended—Automatic sprinkler systems.**

Section 903.2 of the California Building Code is amended by adding the following two paragraphs:

In addition to the requirements of Section 903, fire sprinklers are required for the construction of buildings 5,000 square feet or more, regardless of fire walls, except for Group R-3 (one and two family dwelling) and Group U accessory to Group R-3 occupancies.

Fire Sprinklers are required when additions exceed 5,000 square feet. When the addition is less than 50% of the original building square footage, the addition shall be equipped with a sprinkler system. When the addition is 50% or greater than the original building square footage, the entire structure shall be equipped with a sprinkler system.

**15.04.060 - Chapter 31, Section 3109.2 amended—Definition.**

**SWIMMING POOLS.** Any structure intended for swimming, recreational bathing or wading that contains water over 18 inches (457 mm) deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools.

**15.04.061 - Chapter 31, Section 3109.4 Amended—Residential swimming pools.**

Chapter 31, Section 3109.4 shall be amended to read as follows:

Section 3109.4. The provisions of this section apply to the design and construction of barriers for swimming pools located on the premises of Group R, Division 1 and 3 occupancies and shall comply with Sections 3109.4.1 through 3109.4.3.

**15.04.062 - Chapter 31, Section 3109.4.1 amended—Barrier height and clearances.**

Chapter 31, Section 3109.4.1 shall be amended to read:

**Section 3109.4.1 Barrier height and clearances.** An outdoor swimming pool shall be provided with a barrier that shall be installed, inspected and approved prior to plastering or filling the pool with water. The top of the barrier shall be at least 60 inches (1524 mm) above grade, measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance at the bottom of the barrier may be increased to 4 inches (102 mm) when grade is a solid surface such as a concrete deck, or when the barrier is mounted on the top of the aboveground pool structure. When barriers have horizontal members spaced less than 45 inches (1143 mm) apart, the horizontal members shall be placed on the pool side of the barrier. Any decorative design work on the side away from the swimming pool such as protrusions, indentations or cutouts, which renders the barrier easily climbable, is prohibited.

**Section 3109.4.1.1 Openings.** Openings in the barrier shall not allow passage of a 4-inch (102 mm) diameter sphere.

**EXCEPTIONS:**

- a. When vertical spacing between such openings is 45 inches (1143 mm) or more, the opening size may be increased such that the passage of a 4-inch (102 mm) diameter sphere is not allowed.
- b. For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to 4 inches (102 mm) when the distance between the top and bottom of horizontal members is 45 inches (1143 mm) or more.

**Section 3109.4.1.2 Solid barrier surfaces.** Solid barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

**Section 3109.4.1.3 Chain link fences.** Chain link fences used as the barrier shall not be less than 11 gauge, with an approved filler material interwoven between openings that provide a smooth surface free of foot and hand holds.

**Section 3109.4.1.4 Access gates.** Access gates shall comply with the requirements of 3109.4.1 through 3109.4.1.3 and in no case shall any gate have a width greater than 4 feet (1290 mm). Any access gate through the barrier must swing away from the pool or spa. Pedestrian access gates shall be self-closing and have a self-latching device. Where the release mechanism of the self-latching device is located less than 57 inches (1448 mm) from the bottom of the gate, (1) the release mechanism shall be located on the pool side of the barrier at least 3 inches (76 mm) below the top of the gate, and (2) the gate and barrier shall have no opening greater than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism. Any gates other than pedestrian access gates shall be equipped with lockable hardware or padlocks and shall remain locked at all times when not in use.

**Section 3109.4.1.5 Dwelling wall as a barrier.** Where a wall of a Group R, Division 1 and 3 Occupancy dwelling unit serves as part of the barrier and contains door openings between the



dwelling unit and the outdoor swimming pool that provides direct access to the pool, a separation fence meeting the requirements of Section 3109.4.1 shall be provided.

**EXCEPTIONS:** When approved by the Building Official, one of the following may be used.

- A. Self-closing and self-latching devices installed on all doors with direct access to the pool with the release mechanism located a minimum of 54 inches (1372 mm) above the floor.
- B. An alarm installed on all doors with direct access to the pool. The alarm shall be listed in accordance with UL 2017. The alarm shall sound continuously for a minimum of 30 seconds within seven seconds after the door and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 dBA when measured indoors at 10 feet (3048 mm). The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last no longer than 15 seconds. The deactivation switch shall be located at least 54 inches (1372 mm) above the threshold of the door. In dwellings not required to be Accessible, Type A or Type B units, the deactivation switch shall be located 54 inches (1372 mm) or more above the threshold of the door. In dwellings required to be Accessible, Type A or Type B units, the deactivation switch(es) shall be located at 54 inches (1372 mm) maximum and 48 inches (1219 mm) minimum above the threshold of the door. Alarms are not permitted on garage doors that provide direct access to the pool and shall comply with CBC Section 3109.4.1.5 Exception A.
- C. The pool shall be equipped with a power safety cover that complies with ASTM F 1346.
- D. Other means of protection may be acceptable so long as the degree of protection afforded is not less than that afforded by any of the devices described above.

**Section 3109.4.1.6 Pool structure as a barrier.** Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, the (1) the ladder or steps shall be capable of being secured, locked or removed to prevent access or (2) the ladder or steps shall be surrounded by a barrier that meets the requirements of Sections 3109.4.1 through 3109.4.1.4. When ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

**15.04.063 - Chapter 31, Section 3109.4.2 amended—Indoor swimming pools.**

Chapter 31, Section 3109.4.2 shall be amended to read:

**Section 3109.4.2 Indoor swimming pools.** Walls surrounding indoor swimming pools shall not be required to comply with Section 3109.4.1.5.

**15.04.064 - Chapter 31, Section 3109.4.4.5 amended—Exempt facilities.**

Chapter 31, Section 3109.4.4.5 shall be amended to delete item 4.

**15.04.170 – Chapter 1 Division II and Appendices adopted.**

The following California Building Code, 2013 Edition, Volume I Chapter 1 Division II and Volume II, Appendices: C, I, and J shall be adopted by reference.

**15.04.180 - Chapter 1 Division II, Section 105.2 amended—Exempted work.**

Section 105.2 of the California Building Code is amended to read as follows:

Section 105.2. Work exempt from permit. A building permit will not be required for the following:

1. One story detached accessory structures used as tool and storage sheds, gazebos, playhouses, temporary tents, and similar uses, provided the floor area does not exceed 120 square feet and has all the required yards.
2. Oil derricks.
3. Nonfixed and moveable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches in height.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons.
5. Platforms, decks, walks, and driveways not more than 30 inches above grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Temporary motion picture, television and theater stage sets and scenery.
8. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U occupancies.
9. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy that are less than 18 inches deep, do not exceed 5,000 gallons and are installed entirely above the ground.
10. Block walls and fences less than 3 feet in height.
11. Retaining walls under 18 inches in height.
12. Swings and other playground equipment accessory to detached one- and two-family dwellings.

Unless otherwise exempted by this code, separate plumbing, electrical, and mechanical permits will be required for the above exempted items. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be in violation of any other laws or ordinances of this jurisdiction.

**15.04.181 - Chapter 1 Division II, Section 109.1 amended—Payment of fees.**

Section 109.1 of the California Building Code is amended to read as follows:

Section 109.1. Payment of fees. The application plans, and specifications and other data filed by an applicant for a permit shall be reviewed by the Building Official. Such plans shall be reviewed by other departments of the City to verify compliance with any applicable laws or ordinances under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code, and other pertinent laws and ordinances, and that the fees specified in Section 109.2.1 and the fees required by other departments of the City have been paid, he shall issue a permit therefor to the applicant.

**15.04.182 - Chapter 1 Division II, Section 109.2.1 added—Permit fees.**

Section 109.2.1 of the California Building Code is added to read as follows:

Section 109.2.1 Permit fees. A fee for each building permit shall be paid to the Building Official as set forth in Table No. 1-A.

**TABLE NO. 1-A - BUILDING PERMIT FEES**

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$25.00
\$501.00 to \$2,000.00	\$15.00 for the first \$500.00 plus \$2.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$45.00 for the first \$2,000.00 plus \$9.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$252.00 for the first \$25,000.00 plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$414.50 for the first \$50,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$639.50 for the first \$100,000.00 plus \$3.50 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,039.50 for the first \$500,000.00 plus \$3.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00

\$1,000,001.00 and up	\$3,539.50 for the first \$1,000,000.00 plus \$2.00 for each additional \$1,000.00 or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours (minimum charge - two hours)	\$30.00 per hour*
2. Re-inspection fee	\$30.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge - one-half hour)	\$30.00 per hour*
4. Additional plan review required by charges, additions or revisions to approved plans (minimum charge - one-half hour)	\$30.00 per hour*

Editor's note—

\* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

The determination of value under any of the provisions of this code shall be made by the Building Official. The value to be used in computing the building permit and plan review fees shall be the total of all construction work, for which the permit is issued, as well as heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment.

**15.04.183 - Chapter 1 Division II, Section 109.2.2 added—Plan review fee.**

Section 109.2.2 of the California Building Code is added to read as follows:

Section 109.2.2 Plan review fee. When a plan or other data is required to be submitted by Section 107 a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be 75 percent of the building permit fee as shown in Table No. 1-A. For plan reviews on plans for housing tracts with models, 75 percent of the building permit fee as shown in Table No. 1-A for each individual model, and 35 percent of building permit fee as shown in Table No. 1-A for each additional residential production unit.

**15.04.184 - Chapter 1 Division II, Section 109.2.3 added—Inspection fee.**

Section 109.2.3 is added to the California Building Code as follows:

Section 109.2.3 Inspection fee. That in lieu of the permit fees otherwise provided for in this section, the fee for the inspection of a structure to be moved into the City shall be one hundred dollars (\$100.00) when located within 25 miles of the city limits of the City of Chino and a fee of one dollar (\$1.00) per mile, in addition to the original one hundred dollars (\$100.00), shall be paid when in excess of 25 miles for such inspection.

**15.04.185 -Chapter 1 Division II, Section 109.6 amended—Refunds.**

Section 109.6 of the California Building Code is amended to read as follows:

Section 109.6 Refunds. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of the fee payment.

**15.04.190 - Appendix Chapter J amended.**

Appendix, Chapter J, of the California Building Code shall be amended to read as follows in Sections 15.04.191 and 15.04.192.

**15.04.191 - Appendix Chapter J.**

Throughout Appendix J where the word "Building Official" appears it shall be amended to read "City Engineer."

**15.04.192 - Appendix Chapter J, Section J 103.1 amended—Permits required.**

Except as exempted in Section J103.2, no grading shall be performed without first having obtained a permit thereof from the City Engineer. A grading permit does not include the construction of retaining walls or other structures.

A fee for each grading permit shall be paid as set forth in the City of Chino's Comprehensive Fee Schedule. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. There shall be no separate charge for standard terrace drains and similar facilities. The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as set forth in the City of Chino's Comprehensive Fee Schedule. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in this code.

For excavation and fill on the same site, the fee shall be based on the volume of excavation or fill, whichever is greater.

Section 4: Chapter 15.06 of the Chino Municipal Code is amended and shall read as follows:

### **Chapter 15.06 – RESIDENTIAL CODE**

**Sections:**

- 15.06.010 – Adopted.**
- 15.06.020 - Additions, deletions and amendments.**
- 15.06.030 - Chapter 1 Division II, Section 105.2 amended- Exempted work .**
- 15.06.031 - Chapter 1 Division II, Section 105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas is hereby deleted.**
- 15.06.032 - Chapter 1 Division II, Section 108.1 amended-Payment of fees.**
- 15.06.033 - Chapter 1 Division II, Section 108.2.1 added-Permit fees.**
- 15.06.034 - Chapter 1 Division II, Section 108.2.2 added-Plan review fees.**
- 15.06.035 - Chapter 1 Division II, Section 108.2.3 added-Inspection fee.**
- 15.06.036 - Chapter 1 Division II, Section 108.5 amended-Refunds.**
- 15.06.100 - Chapter 3, Section 301.1.3.2 amended-Engineered design.**
- 15.06.101 - Chapter 3, Table 3, Table R301.2(1) amended-Climatic and Geographic Design Criteria.**

**15.06.010-Adoption.**

There is adopted by reference the 2013 California Residential Code incorporating the 2012 International Residential Code. That certain document, three copies of which are on file with the City of Chino, being marked and designated as California Residential Code, 2013 Edition, as copyrighted 2013 by the International Code Council, is adopted as the Residential Code of the City of Chino, for regulating the erection, construction, enlargement, alteration, repair, moving, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures in the City of Chino, providing for the issuance of permits therefor; and each and all such regulations are referred to, adopted and made part hereof as though fully set out in this section, excepting such portions as are hereinafter deleted, modified, or amended by this chapter.

**15.06.020-Additions, deletions and amendments.**

The California Residential Code, adopted by Section 15.06.010, is amended as set out in this chapter.

**15.06.030-Chapter 1 Division II, Section 105.2 amended- Exempted work.**

Section 105.2 of the California Building Code is amended to read as follows:

Section 105.2 Work exempt from permit. A building permit will not be required for the following:

1. One story detached accessory structures used as tool and storage sheds, gazebos, playhouses, temporary tents, and similar uses, provided the floor area does not exceed 120 square feet and has all the required yards.
2. Oil derricks.
3. Nonfixed and moveable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches in height.

4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons.
5. Platforms, decks, walks, and driveways not more than 30 inches above grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Temporary motion picture, television and theater stage sets and scenery.
8. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U occupancies.
9. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy that are less than 18 inches deep, do not exceed 5,000 gallons and are installed entirely above the ground.
10. Block walls and fences less than 3 feet in height.
11. Retaining walls under 18 inches in height.
12. Swings and other playground equipment accessory to detached one- and two-family dwellings.

Unless otherwise exempted by this code, separate plumbing, electrical, and mechanical permits will be required for the above exempted items. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be in violation of any other laws or ordinances of this jurisdiction.

**15.06.031- Chapter 1, Division II Section 105.3.1.1.**

Determination of substantially improved or substantially damaged existing buildings in flood hazard areas is hereby deleted.

**15.06.032- Chapter 1, Division II Section 108.1 amended-Payment of fees.**

Section 108.1 of the California Residential Code is amended to read as follows:

Section 108.1. Payment of fees. The application plans, and specifications and other data filed by an applicant for a permit shall be reviewed by the Building Official. Such plans shall be reviewed by other departments of the City to verify compliance with any applicable laws or ordinances under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code, and other pertinent laws and ordinances, and that the fees specified in Section 108.2.1 and the fees required by other departments of the City have been paid, he shall issue a permit therefor to the applicant.

**15.06.033 Chapter 1, Division II Section 108.2.1 added-Permit fees.**

Section 108.2.1 of the California Building Code is added to read as follows:

Section 108.2.1 Permit fees. A fee for each building permit shall be paid to the Building Official as set forth in Table No. 1-A.

**TABLE NO. 1-A - BUILDING PERMIT FEES**

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$25.00
\$501.00 to \$2,000.00	\$15.00 for the first \$500.00 plus \$2.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$45.00 for the first \$2,000.00 plus \$9.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$252.00 for the first \$25,000.00 plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$414.50 for the first \$50,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$639.50 for the first \$100,000.00 plus \$3.50 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,039.50 for the first \$500,000.00 plus \$3.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$3,539.50 for the first \$1,000,000.00 plus \$2.00 for each additional \$1,000.00 or fraction thereof
<b>Other Inspections and Fees:</b>	
1. Inspections outside of normal business hours (minimum charge - two hours)	\$30.00 per hour*
2. Re-inspection fee	\$30.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum charge - one-half hour)	\$30.00 per hour*
4. Additional plan review required by charges, additions or revisions to approved plans (minimum charge - one-half hour)	\$30.00 per hour*

Editor's note—

\* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

The determination of value under any of the provisions of this code shall be made by the Building Official. The value to be used in computing the building permit and plan review fees shall be the total of all construction work, for which the permit is issued, as well as heating, air conditioning, [elevators, fire extinguishing systems and any other permanent equipment.]



**15.06.034 Chapter 1, Division II Section 108.2.2 added-Plan review fees.**

Section 108.2.2 of the California Building Code is added to read as follows:

Section 108.2.2 Plan review fee. When a plan or other data is required to be submitted by Section 106 a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plans review fee shall be 75 percent of the building permit fee as shown in Table No. 1-A. For plan reviews on plans for housing tracts with models, 75 percent of the building permit fee as shown in Table No. 1-A. for each individual model, and 35 percent of building permit fee as shown in Table No. 1-A. for each additional residential production unit.

**15.06.035 Chapter 1, Division II Section 108.2.3 added-Inspection fee.**

Section 108.2.3 is added to the California Building Code as follows:

Section 108.2.3 Inspection fee. That in lieu of the permit fees otherwise provided for in this section, the fee for the inspection of a structure to be moved into the City shall be one hundred dollars (\$100.00) when located within 25 miles of the city limits of the City of Chino and a fee of one dollar (\$1.00) per mile, in addition to the original one hundred dollars (\$100.00), shall be paid when in excess of 25 miles for such inspection.

**15.06.036 Chapter 1 Division II, Section 108.5 amended-Refunds.**

Section 108.5 of the California Building Code is amended to read as follows:

Section 108.5 Refunds. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of the fee payment.

**15.06.100 Chapter 3, Section 301.1.3.2 amended-Engineered design.**

The building official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of wood frame construction more than two stories and basement in height located in Seismic Design Category A, B, or C. Notwithstanding other sections the law, the law establishing these provisions is found in Business and Professions Code Section 5537 and 6737.1.

The building official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of wood frame construction more than one story in height located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, D<sub>2</sub>, or E.

**15.06.101 Chapter 3, Table 3, Table R301.2(1) amended-Climatic and Geographic Design Criteria.**

**TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP <sup>a</sup>	ICE BARRIER UNDERLAYMENT REQUIRED <sup>b</sup>	FLOOD HAZARDS <sup>c</sup>	AIR FREEZING INDEX <sup>d</sup>	MEAN ANNUAL TEMP <sup>e</sup>
	Speed <sup>f</sup> (mph)	Topographic effects <sup>g</sup>		Weathering <sup>h</sup>	Frost line Depth <sup>i</sup>	Termite <sup>j</sup>					
Zero	85	No	D <sub>2</sub> or E	Negligible	12-24"	Very Heavy	43	No	See footnote g	0	60

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2( 4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. Temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
  - (a) Chino became a "Community" per the National Flood Insurance Program (NFIP) on June 30, 1976 – Community No. is 060272A/060272.\
  - (b) The latest Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) is August 28, 2008.
  - (c) Plan Numbers of applicable FIRMs for our community are: 06071C: 8615H, 8616H, 8620H,. 9330H, 9335H, 9345H, and 9375H.
- h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°)" at [www.ncdc.noaa.gov/fpsf.html](http://www.ncdc.noaa.gov/fpsf.html).

- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at [www.ncdc.noaa.gov/fpsf.html](http://www.ncdc.noaa.gov/fpsf.html).
- k. In accordance with Section R30 1.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

Section 5: Chapter 15.08 of the Chino Municipal Code is amended and shall read as follows:

### **Chapter 15.08 - MECHANICAL CODE**

#### **Sections:**

**15.08.010 - Adopted.**

**15.08.020 - Chapter and Appendices adopted.**

**15.08.030 - Appendix Chapter 1, Table 1.**

#### **15.08.010 - Adopted.**

There is adopted by reference the 2013 California Mechanical Code and certain appendices incorporating the 2012 Uniform Mechanical Code. That certain document, three copies of which are on file with the City of Chino, being designated and marked as the California Mechanical Code, 2013 Edition, copyrighted 2012 by the International Association of Plumbing and Mechanical Officials is adopted for regulating the installation, maintenance, and repair of heating and cooling within the City of Chino and prescribing standards of inspection therefor, and each and all such regulations are referred to, adopted and made a part hereof, as though fully set out in this chapter.

#### **15.08.020 – Chapter 1 Division II adopted.**

The following California Mechanical Code, 2013 Edition, Chapter 1 Division II shall be adopted by reference: Chapter 1 Division II, Administration.

#### **15.08.030 - Chapter 1 Division II, Table 1-1 amended.**

Table 1-1 of the California Mechanical Code is amended to read as follows:

Table 1-1

#### **Mechanical Permit Fees**

##### **Permit Issuance and Heaters:**

1. For the issuance of mechanical permits—\$42.00 each
2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finalized—\$6.50

(Note: The following do not include permit issuing fee.) Unit Fee Schedule:

1. Furnaces:

- a. For the installation or relocation of forced-air or gravity-type furnaces or burners, including ducts and vents attached to such appliances, up to and including 100,000 Btu/h (29.3 kW)—\$13.25 each
- b. For the installation or relocation of forced-air or gravity-type furnaces or burners, including ducts and vents attached to such appliances over 100,000 Btu/h (29.3 kW)—\$16.25 each
- c. For the installation or relocation of floor furnaces, including vents—\$13.25 each
- d. For the installation or relocation of suspended heaters, recessed wall heaters or floor-mounted unit heaters—\$13.25 each

2. Appliance Vents (for the installation, relocation or replacement of appliance vents installed and not included in an appliance permit)—\$6.50 each

3. Repairs or Additions (for the repair of, alteration of, or addition to heating appliances, refrigeration units, cooling units, absorption units, or heating, cooling, absorption or evaporative cooling systems, including installation of controls regulated by the Mechanical Code)—\$12.25 each

4. Boilers, Compressors and Absorption Systems:

- a. For the installation or relocation of boilers or compressors to and including 3 HP (10.6 kW), or absorption systems to and including 100,000 Btu/h (29.3 kW)—\$13.15 each
- b. For the installation or relocation of boilers or compressors over 3 HP (10.6 kW) to and including 15 HP (52.7 kW), or absorption systems over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.4 kW)—\$24.25 each
- c. For the installation or relocation of boilers or compressors over 15 HP (52.7 kW) to and including 30 HP (105.5 kW), or absorption systems over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (293.1 kW)—\$33.25 each
- d. For the installation or relocation of boilers or compressors over 30 HP (105.5 kW) to and including 50 HP (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW)—\$82.75 each

5. Air Handlers:

- a. For air-handling units up to and including 10,000 cfm (4719 L/s), including ducts attached thereto (this fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code)—\$9.50 each

- b. For air-handling unit over 10,000 cfm (4719 L/s)—\$16.95 each
- 6. Evaporative Coolers (other than portable type)—\$9.50/cooler
- 7. Ventilation and Exhaust:
  - a. For ventilation fans connected to a single duct—\$6.50 each
  - b. For ventilation systems which are not a portion of any heating or air-conditioning system authorized by a permit—\$9.50 each
  - c. For the installation of hoods which are served by mechanical exhaust, including the ducts for such hood—\$9.50 each
- 8. Incinerators:
  - a. For the installation or relocation of domestic-type incinerators—\$16.25 each
  - b. For the installation or relocation of commercial or industrial-type incinerators—\$66.50 each
- 9. Miscellaneous (for appliances or pieces of equipment regulated by the Mechanical Code, but not classed in other appliance categories, or for which no other fee is listed in the table)—\$9.50 each

Other Inspections and Fees:	
1) Inspections outside of normal business hours, per hour (minimum charge - two hours)	\$44.25*
2) Reinspection fees assessed under provisions of Section 116.6 per inspection	\$44.25*
3) Inspections for which no fee is specifically indicated, per hour (minimum charge - one-half hour)	\$44.25*
4) Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge - one-half hour)	\$44.25*

Editor's note—

\* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

Section 6: Chapter 15.12 of the Chino Municipal Code is amended and shall read as follows:

#### **Chapter 15.12 - INTERNATIONAL PROPERTY MAINTENANCE CODE**

##### **Sections:**

**15.12.010 - Adopted.**

**15.12.020 - Additions, deletions and amendments.**

**15.12.030 - Section 101.1 amended.**

- 15.12.050 - Section 103.3 amended.**
- 15.12.051 - Section 112.4 amended.**
- 15.12.052 - Section 303 amended.**
- 15.12.060 - Section 111 amended—Means of Appeal.**
- 15.12.062 - Section 304.14 amended.**
- 15.12.064 - Section 602.3 amended.**
- 15.12.066 - Section 602.4 –repealed.**

**15.12.010 - Adopted.**

There is hereby adopted by reference the International Property Maintenance Code, 2012 Edition. That certain document, three copies of which are on file with the City of Chino, being marked and designated as the International Property Maintenance Code, 2012 Edition, sponsored by the International Code Council, is adopted as the International Property Maintenance Code of minimum requirements of residential buildings and providing for enforcement thereof and penalties for violations of such code, and each and all the regulations, provisions, penalties, conditions and terms of such International Property Maintenance Code, 2012 Edition, are referred to, adopted and made a part hereof as though fully set forth in this chapter.

**15.12.020 - Additions, deletions and amendments.**

The, International Property Maintenance Code adopted by Section 15.12.010, is amended as set out in this chapter.

**15.12.030 - Section 101.1 amended-Title.**

Section 101.1 of the International Property Maintenance Code is amended as follows:

These regulations shall be known as the International Property Maintenance Code of the City of Chino, herein referred to as "this code."

**15.12.050 - Section 103.3 amended-Fees.**

Section 103.3 of the International Property Maintenance Code is amended as follows:

The fees for activities and services performed by the City of Chino in carrying out its responsibilities under this code shall be indicated in the most current adopted User Fee Schedule.

**15.12.051 - Section 112.4 amended-Failure to comply.**

Section 112.4 of the International Property Maintenance Code is amended as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to administrative citations as set forth in section 1.15 of the Chino Municipal Code.

**15.12.052 - Section 303 amended-Swimming Pools, Spas and Hot Tubs.**

Section 303 of the International Property Maintenance Code is repealed.

**15.12.060 - Section 111 amended—Means of Appeal.**

Section 111 of the International Property Maintenance Code is amended to read as follows:

Hearings. The board of appeals shall proceed pursuant to chapter 2.72; and said provisions shall prevail over all other conflicting provisions hereof. However, the board of appeals may appoint one or more hearing examiners or designate one or more of its members to serve as hearing examiners to conduct the hearings. The examiner hearing the case shall exercise all powers relating to the conduct of the hearings until it is submitted to the board of appeals for decision.

**15.12.062- Section 304.14 amended-Insect Screens.**

Section 304.14 of the International Property Maintenance Code is amended to read as follows:

At all times, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch and every screen door used for insect control shall have a self-closing device in good working condition.

**15.12.064- Section 602.3 amended-Heat supply.**

Section 602.3 of the International Property Maintenance Code is amended to read as follows:

Every owner and operator of any building who occupies, rents, leases, or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants at all times to maintain a minimum temperature of 68 degrees F in all habitable rooms, bathrooms and toilet rooms.

**15.12.066- Section 602.4 –repealed-Occupiable work spaces.**

Section 602.4 of the International Property Maintenance Code is repealed.

Section 7: Chapter 15.16 of the Chino Municipal Code is amended and shall read as follows:

**Chapter 15.16 - ABATEMENT OF DANGEROUS BUILDINGS**

**Sections:**

**15.16.010 - Adopted.**

**15.16.011 - Section 202.1 added—Immediate hazardous condition.**

**15.16.020 - Section 801.1 amended—Procedure.**

**15.16.030 - Section 801.2 amended—Costs.**

**15.16.040 - Sections 802.1 and 802.2—Deleted.**

**15.16.050 - Section 901 amended—Expense account for repair or demolition.**

**15.16.010 - Adopted.**

There is hereby adopted by reference the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition. That certain document, three copies of which are on file with the City of Chino, is designated and marked as the Uniform Code for the Abatement of Dangerous Buildings, whereby buildings and structures that endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants may be required to be repaired, vacated or demolished.

**15.16.011 - Section 202.1 added—Immediate hazardous condition.**

Section 202.1 is added to the Uniform Code for the Abatement of Dangerous Buildings as follows:

Section 202.1. Immediate Hazardous Condition. Whenever the Building Official determines by inspection that a structure constitutes an immediate hazardous condition, the Building Official shall first make a reasonable effort to locate and notify the owner or other persons having charge or control of the structure. If neither can be located, the Building Official shall issue an order directed to the owner or other person in control of the structure to have the hazardous condition either removed or repaired immediately. If no one in charge of the structure can be located, the Building Official shall order the hazardous condition abated either by City personnel or by a private contractor.

Recovery of cost of repair or removal shall be as specified in Section 905.

**15.16.020 - Section 801.1 amended—Procedure.**

Section 801.1 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read as follows:

Section 801.1. Procedure. When any work or repair or demolition is to be done pursuant to Section 701.3 of this code, the Building Official shall issue his order therefor and the work shall be accomplished by City personnel or by private contract. Plans and specifications therefor may be prepared with architectural and engineering assistants on a contract basis. If any part of the work is to be accomplished by private contract, standard contractual procedures shall be followed.

**15.16.030 - Section 801.2 amended—Costs.**

Section 801.2 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read as follows:

Section 801.2. Costs. The cost of such work may be paid by a special assessment against the property involved, or may be made a personal obligation of the property owner, whichever the City Council shall determine is appropriate.

**15.16.040 - Sections 802.1 and 802.2—Deleted.**

Sections 802.1 and 802.2 of the Uniform Code for the Abatement of Dangerous Buildings are deleted.



**15.16.050 - Section 901 amended—Expense account for repair or demolition.**

Section 901 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read as follows:

Section 901. Where the phrase "Director of Public Works" appears, it shall be amended to read "Building Official."

Section 8: Chapter 15.20 of the Chino Municipal Code is amended and shall read as follows:

**Chapter 15.20 - HAZARDOUS AND UNSAFE COMMERCIAL BUILDINGS**

**Sections:**

- 15.20.010 - Definitions.**
- 15.20.020 - Scope.**
- 15.20.030 - Determination of compliance.**
- 15.20.040 - Design and construction criteria.**
- 15.20.050 - Maintenance of parapets or other appendages.**
- 15.20.060 - Voluntary repairs or alterations—Compliance to California Building Code.**
- 15.20.070 - Design criteria for buildings two or more stories in height.**
- 15.20.080 - Immediately hazardous conditions—Notice to abate.**
- 15.20.090 - Hazardous condition—Notice to abate.**
- 15.20.100 - Expenses incurred by city—Collection.**
- 15.20.110 - Notice to abate—Appeal.**
- 15.20.120 - Violation—Penalty.**

**15.20.010 - Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this section:

- A. "A matter of personal safety" means a situation where because of the conditions of a building or portions thereof a person or persons including the owner, tenants, or any occupants thereof may be potentially in danger of loss of life, property, or physical personal injury.
- B. "A matter of public safety" means a situation where, because of the condition of a building or portions thereof, a person or persons other than the owners and tenants thereof are very likely to be in danger of loss of life, property, or physical injury.
- C. "Commercial building" means any building used either partially or wholly for commerce at the inception date of this chapter.
- D. "Hazardous building" means a building or structure which is structurally inadequate as required by the provisions of this chapter, or is otherwise potentially dangerous to human life, safety, health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, or abandonment.

- E. "Immediately hazardous condition" means a condition involving a building or portions thereof that if not immediately corrected constitutes a real, present and immediate danger to life, safety, or health of any person.
- F. "Substandard building" means a building or portion thereof in which there exists defective conditions as required by the provisions of this chapter.

#### **15.20.020 - Scope.**

The provisions of this chapter applies to the construction, alteration, or repair of all commercial buildings either occupied or unoccupied within the city.

#### **15.20.030 - Determination of compliance.**

Whenever, in the opinion of the building official of the city, there is insufficient evidence of compliance with the provisions of this chapter, or the building official has determined that there is insufficient evidence that a structure or methods of construction do not conform to all the requirements of this chapter, the building official shall require tests and engineering as proof of compliance to be made at the expense of the owner or his agent by an approved agency. Copies of required tests or engineering calculations shall be submitted to the building department and shall be retained by such department in a permanent file.

#### **15.20.040 - Design and construction criteria.**

- A. Every existing building constructed prior to May 26, 1933, except a building to which this chapter does not apply, shall contain sufficient structural elements to resist and withstand horizontal forces from any direction of not less than either of the following, whichever is the greater:
  - 1. Two percent of the total vertical design load for buildings over forty feet in height from the top of their foundations, and three percent of the total vertical load for buildings less than forty feet in height from the top of their foundations;
  - 2. Twenty pounds per square foot of wind pressure on the vertical projection of the exposed surface of every portion of the building more than sixty feet in height, and fifteen pounds per square foot of wind pressure on the vertical projection of the exposed surface of every portion of the building sixty feet or less in height.
- B. In computing the resistance of any building to horizontal forces the stresses resulting from the combined vertical and horizontal forces shall not exceed one and one-third times the allowable working stress as adopted and specified in the current building code or as amended.

#### **15.20.050 - Maintenance of parapets or other appendages.**

- A. No building shall have any parapet or appendage attached to or supported by an exterior wall of the building and located adjacent to a public way or to a way set apart for exit from building or passage of pedestrians. If such parapet or appendage is not so adequately constructed, anchored, or braced as to remain wholly in its original position in event of an earthquake having the effect designed by Section 2305 of the California Building Code, compliance pursuant to Section 15.20.030 is required.

- B. Whenever the building department determines by inspection that an existing parapet or appendage is not so adequately constructed, anchored, or braced as to remain wholly in its original position, the building official shall, by written notice addressed to the owner, person, or agent in control of the building, designate and describe the hazards and inadequacies of construction, anchorage, or bracing determined by such inspection and direct that the necessary correction be made to insure that all of the parapets or appendages remain in its original position. Upon receipt of such notice, the owner, person, or agent in control of the building where such parapet exists shall:
1. Within three months from the date of such notice submit to the building department, for its review and approval, suitable corrective plans; all such corrective plans shall have the intent of eliminating the parapet or appendage, or reconstructing such parapet or appendage so that it will conform structurally with the requirements of the California Building Code, or strengthening such parapet or appendage by bracing or other means so that it will resist the forces of a earthquake and remain in its original position;
  2. Obtain the necessary alteration permit;
  3. Within one year from the date of such notice, complete all work necessary or ordered; however, the City Council may, upon application to it for an extension of such one year period, grant an extension of time not to exceed a total of three years from the date of such notice, where good cause is shown; the factors that the City Council shall consider in determining whether an extension of time should be granted shall include, but not be limited to, the following factors:
    - a. The eminence and extent of the structural hazard and the degree of inadequacy of construction as determined by the city building division,
    - b. The estimated cost to complete all work necessary or ordered in comparison to the fair market value of the building in question,
    - c. The amount of progress, if any, shown by the applicant towards resolution of the problems described in the notice from the building division.
- C. The City Council may revoke any extension of time granted hereunder, after notice has been given to the applicant and public hearing held on the matter, at any time it determines that reasonable progress is not being made by the applicant to complete all work necessary or ordered.
- D. Any person receiving a notice as set out in this section may appeal from the notice of the building division in the manner provided by Chapter 2.72 of the Chino Municipal Code.

**15.20.060 - Voluntary repairs or alterations—Compliance to California Building Code.**

All voluntary repairs or alterations shall be required to meet the standards, construction and engineering as provided in Chapter 1 Division II of the California Building Code as adopted by the City.

**15.20.070 - Design criteria for buildings two or more stories in height.**

It will be required that the owner or agent in control of all structures of two stories or more built prior to May 26, 1933, within the city shall be required to perform as follows:

- A. Submit to the building department within a period of three years from the effective date of this chapter adequate engineering, including calculations, based upon the design criteria as adopted in this chapter, which would justify the story or stories above the first floor remaining, or corrective plans to bring the structure up to a standard equal to or better than the adopted design criteria;
- B. When the corrective plans have been approved, obtain the necessary alteration or repair permits;
- C. Complete all of the work necessary so the structure will conform structurally to all requirements of the adopted criteria within a period not to exceed three and one-half years from the effective date of this chapter.

**15.20.080 - Immediately hazardous conditions—Notice to abate.**

Whenever the building department determines by inspection that a structure or structures constitutes all immediately hazardous conditions as defined in this chapter, the building official shall give written notice to the owner or agent in control of the subject structure to abate such hazard. The notice shall describe the hazard and shall set forth a maximum time of thirty days to abate the hazard either by removal of the hazard or by repair or rehabilitation of the elements that constitute the hazard. If structural repairs are necessary to eliminate the hazard, such repairs shall meet the requirements of the design and construction criteria as adopted by this chapter.

**15.20.090 - Hazardous condition—Notice to abate.**

Whenever the building department determines by inspection that a structure or structures constitutes a hazardous condition as defined in this chapter, the Building Official shall give written notice to the owner or agent in control of the subject structure to abate such hazard. The notice shall describe the hazard and shall set forth a maximum time of ninety days to abate the hazard either by removal of the hazard or by repair or rehabilitation of the elements that constitute the hazard. If structural repairs are necessary to eliminate the hazard, such repairs shall meet the requirements of the design and construction criteria as adopted by this chapter.

**15.20.100 - Expenses incurred by city—Collection.**

Whenever such insufficient evidence or lack of compliance causes the City to incur an expense in order to obtain proper evidence or full compliance in accordance with the provisions of this chapter, such costs or expenses shall be charged to the owner of the premises involved as a special assessment on the land on which the building or structure is located and shall be collected in the manner provided for special assessments.

**15.20.110 - Notice to abate—Appeal.**

Any person receiving a notice as set forth in this chapter may appeal from such notice in the manner provided by the appeals section of the California Building Code or as amended, as adopted by the City, with the following exceptions:

- A. The Board of Appeals shall consist of three members.
- B. All three members shall be state-registered structural engineers and shall be appointed by the Mayor with the approval of the majority of the City Council.
- C. A fee as shown in the comprehensive fee schedule resolution shall be paid at the time of application for an appeal hearing.

**15.20.120 - Violation—Penalty.**

It is unlawful for any person to enlarge, alter, repair, improve, convert, use, occupy, or maintain any building or structure in the city or cause the same to be done contrary to or in violation of any of the provisions of this chapter.

Section 9: Chapter 15.24 of the Chino Municipal Code is amended and shall read as follows:

**Chapter 15.24 - PLUMBING CODE****Sections:**

**15.24.010 - Adopted.**

**15.24.020 - Chapter 1 Division II adopted.**

**15.24.030 - Chapter 1 Division II, Table 1-1 amended.**

**15.24.040 - Section 609.3.3 amended—Piping insulation.**

**15.24.050 - Gas piping for CNG vehicles.**

**15.24.010 - Adopted.**

There is adopted by reference the 2013 California Plumbing Code and certain appendices incorporating the 2012 Uniform Plumbing Code. That certain document, three copies of which are on file with the City of Chino, being designated and marked as the California Plumbing Code, copyrighted 2012 by the International Association of Plumbing and Mechanical Officials, is adopted for regulating the installation, maintenance and repair of plumbing within the city, and prescribing standards of inspection therefor, and each and all such regulations are referred to, adopted and made a part hereof as though fully set out in this chapter.

**15.24.020 – Chapter 1 Division II adopted.**

The following California Plumbing Code, 2013 Edition, Chapter 1 Division II shall be adopted by reference: Chapter 1 Division II, Administration.

**15.24.030 - Chapter 1 Division II, Table 1-1 amended.**

Table 1-1 of the California Plumbing Code is amended to read as follows:

**Table 1-1**  
**Plumbing Permit Fees**

**Permit Issuance:**

1. For the issuance of plumbing permits—\$52.00 each
2. For issuing supplemental permits for which the original permit has not expired, been canceled or finalized—\$6.50 each

**Unit Fee Schedule**

1. **Fixtures and Vents:**
  - a. For plumbing fixtures, traps or set of fixtures on one trap, including water, drainage piping and backflow protection thereof—\$8.75 each
  - b. For repair or alteration of drainage or vent piping—\$4.25 each
2. **Sewers, Disposal Systems and Interceptors:**
  - a. For building and trailer park sewers—\$22.00 each
  - b. For cesspools—\$33.25 each
  - c. For private sewage disposal systems—\$66.50 each
  - d. For industrial waste pretreatment interceptors, including their traps and vents, but excepting kitchen-type grease interceptors functioning as fixture traps—\$17.75 each
  - e. Rainwater systems—\$8.75/drain
3. **Water Piping and Water Heaters**
  - a. For installation, alteration, or repair of water piping or water-treating equipment, or both—\$4.25 each
  - b. For water heaters, including vent—\$11.00 each
4. **Gas Piping Systems**
  - a. For gas piping systems of one to five outlets—\$5.50 each
  - b. For each additional outlet over five—\$1.00 each
5. **Lawn Sprinklers, Vacuum Breakers and Backflow Protection Devices**
  - a. For lawn sprinkler systems on any one meter, including backflow protection devices therefor—\$13.25 each

- b. For atmospheric-type vacuum breakers or backflow protection devices not included in Item a:
  - 1 to 5 devices—\$11.00
  - More than 5 devices—\$2.00 each
- c. For backflow-protection devices other than atmospheric-type vacuum breakers
  - 2 inches (50.8 mm) and smaller—\$11.00 each
  - Over 2 inches (50.8 mm)—\$22.00 each

**6. Swimming Pools**

- a. Public Pool—\$81.50 each
- b. Public Spa—\$54.25 each
- c. Private Pool—\$54.25 each
- d. Private Spa—\$27.00 each

**7. Miscellaneous (for appliances or pieces of equipment regulated by the Plumbing Code but not classed in other appliance categories, or for which no other fee is listed in this code)—\$8.75 each**

Other Inspections and Fees:	
1) Inspections outside of normal business hours, per hour (minimum charge - two hours)	\$44.25*
2) Reinspection fees assessed under provisions of Section 103.5.6. per inspection	\$44.25*
3) Inspections for which no fee is specifically indicated, per hour (minimum charge - one-half hour)	\$44.25*
4) Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge - one-half hour)	\$44.25*

Editor's note—

\* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**15.24.040 - Section 609.3.3 amended—Piping insulation.**

Section 609.3.3 of the 2007 California Plumbing Code is added to read as follows:

Section 609.3.3. All hot water piping shall be insulated within the building with a minimum R3 value. Piping is to be insulated up to the fixture shut-off valve.

**15.24.050 - Gas piping for CNG vehicles.**

All newly constructed privately owned residential garages shall have a gas line and electrical outlet installed to a point along the garage wall that is near the vehicle's fuel opening so that compressed natural gas fueling of a vehicle could occur in the future without obstruction.

Section 10: Chapter 15.28 of the Chino Municipal Code is amended and shall read as follows:

**Chapter 15.28 - NATIONAL ELECTRICAL CODE**

**Sections:**

**15.28.010 - Adopted.**

**15.28.015 - Fees.**

**15.28.020 - Article 527.3 amended.**

**15.28.030 - Requirements for cable television wiring in residential dwelling units.**

**15.28.010 - Adopted.**

There is adopted by reference the 2013 California Electrical Code incorporating the 2011 National Electrical Code. That certain document, three copies of which are on file with the City of Chino, being designated and marked as the California Electrical Code, 2013 Edition, as copyrighted 2011 by the National Fire Protection Association, is adopted as the Electric Code of the city of Chino for regulating the installation, maintenance and repair of electrical wiring and equipment within the city and prescribing standards of inspection and requirements therefor; and each and all such regulations are referred to, adopted and made a part hereof as though fully set out in this chapter.

**15.28.015-Fees.**

**Permit Issuance:**

1. For the issuance of electrical permits—\$22.00 each
2. For the issuing of supplemental permits for which the original permit has not expired, been canceled, nor finaled—\$6.50 each

**System Fee Schedule:**

1. New Residential Buildings (includes all wiring and electrical equipment in or on each building, or other electrical equipment on the same premises constructed at the same time)
  - a. Multifamily (new multifamily buildings having three or more dwelling units constructed at the same time, not including the area of garages, carports and accessory buildings)—  
\$0.045/SF
  - b. Single and Two-Family (new single and two-family residential buildings constructed at the same time, not including the area of garages, carports and accessory buildings)—  
\$0.050/SF
  - c. Others (other types of residential occupancies and alterations, additions and modifications to existing residential buildings)—Per Unit Fee Schedule



2. **Private Swimming Pools** (new private in-ground swimming pools for single-family and multifamily occupancies, including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool)—\$44.25/pool
3. **Carnivals and Circuses** (carnivals, circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays and attractions):
  - a. **Electrical generators and electrically driven rides**—\$22.00 each
  - b. **Mechanically driven rides and walk-through attractions or displays having electric lighting**—\$6.50 each
  - c. **System of area and booth lighting**—\$6.50 each
  - d. **Permanently installed rides, booths, displays and attractions**—Per Unit Fee Schedule

4. **Temporary Power Service:**

- a. **Temporary service pole or pedestal** (includes all pole or pedestal-mounted receptacle outlets and appurtenances)—\$22.00 each

**Temporary distribution system, lighting and receptacle outlets** (for construction sites, decorative lights, Christmas tree sales lots, fireworks stands, etc.) —\$11.00 each

**Receptacle, Switch and Light Outlets** (for receptacle, switch, light or other outlets at which current is used or controlled, except services, feeders and meters):

- a. **First 20 fixtures each**—\$1.00 each
- b. **Additional fixtures**—\$0.65 each

**Note:** For multi-outlet assemblies, each 5 feet or fraction thereof may be considered as one outlet

**Lighting Fixtures** (for lighting fixtures, sockets or other lamp-holding devices):

- a. **First 20 fixtures**—\$1.00 each
- b. **Additional fixtures**—\$0.65 each
- c. **For pole or platform-mounted lighting fixtures**—\$1.00 each
- d. **For theatrical-type lighting fixtures or assemblies**—\$1.00 each

**Residential Appliances** (for fixed residential appliances or receptacle outlets for same, including wall-mounted electric ovens; counter-mounted cooking tops; electric ranges; self-contained room, console or through-wall air conditioners; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; or other motor-operated appliances not exceeding one HP (746 W) in rating)— \$4.25 each

**Note:** For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus.

**Nonresidential Appliances** (for nonresidential appliances and self-contained factory-wired, nonresidential appliances not exceeding one HP, kilowatt (kW) or kilovolt-ampere (kVA), in rating including medical and dental devices; food, beverage and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types of equipment)—\$4.25 each

**Power Apparatus** (for motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment and other apparatus)—ratings are in HP, kilowatts (kW), kilovolt-amperes (kVA) or kilovolt-amperes-reactive (kVAR):

- a. Up to and including one—\$4.25 each
- b. Over 1 and not over 10—\$11.00 each
- c. Over 10 and not over 50—\$22.00 each
- d. Over 50 and not over 100—\$44.25 each
- e. Over 100—\$66.50 each

**Notes:** (1) For equipment or appliances having more than one motor, transformer, heater, etc., the sum of the combined ratings may be used; (2) These fees include all switches, circuit breakers, contactors, thermostats, relays and other directly related control equipment.

**Busways** (for trolley and plug-in type busways)—\$6.50/100-feet

**Note:** An additional fee is required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in-type busways. A fee is not required for portable tools.

a. Signs, Outline Lighting and Marquees:

- Signs, outline lighting systems or marquees supplied from one branch circuit—\$22.00 each
- Additional branch circuits within the same sign, outline lighting system or marquee—\$4.25 each

b. Services:

- Services of 600 volts or less and not over 200 amperes in rating—\$27.25 each
- Services of 600 volts or less and over 200 amperes to 1,000 amperes—\$55.50 each
- Services over 600 volts or over 1,000 amperes in rating—\$111.00 each

- c. Miscellaneous Apparatus, Conduits and Conductors (for electrical apparatus, conduits and conductors for which a permit is required but for which no fee is herein set forth)—\$16.25

Note: This fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, busways, signs or other equipment.

**15.28.020 - Article 527.3 amended.**

Article 527.3 of the California Electrical Code is amended as follows:

- a. During the Period of Construction. Temporary electrical power and lighting installations shall be permitted during the period of construction, remodeling, maintenance, repair, or demolition of buildings, structures, equipment, or similar activities.
- b. 80 Days. Temporary electrical power and lighting installations shall be permitted for a period not to exceed 80 days, between November 1 and January 19, for decorative lighting and similar purposes.
- c. Emergencies and Tests. Temporary electrical power and lighting installations shall be permitted during emergencies and for tests, experiments, and developmental work.
- d. Removal. Temporary wiring shall be removed immediately upon completion of construction or purpose for which the wiring was installed.

**15.28.030 - Requirements for cable television wiring in residential dwelling units.**

Each single-family occupancy and each occupancy of a multifamily, Group R occupancy shall have installed therein a separate coaxial cable wiring system consisting of at least two outlet boxes, coaxial cable, junction boxes, and other necessary fixtures for the supply of Community Antenna Television (C.A.T.V.). The wiring system shall be installed such that a C.A.T.V. supply can be connected in the general vicinity of telephone service connections and said wiring system shall be installed in conformance with Article 820 of the California Electrical Code, 2010 Edition. The outlet boxes shall be located in the dwelling to the satisfaction of the Building Official so as to make best future use of the C.A.T.V. system.

Section 11: Chapter 15.32 of the Chino Municipal Code is amended and shall read as follows:

**Chapter 15.32 - FIRE CODE**

**Sections:**

**15.32.010 - Adopted.**

**15.32.010 - Adopted.**

There is adopted by reference the California Fire Code, 2013 Edition, with errata, together with those portions of the 2009 International Fire Code as published by the International Code Council, including Appendix Chapters 4, B, BB, D, F, H, and I, not included in the 2013 California Fire Code, collectively referred to as the "Fire Code" and with the additions, insertions, deletions, and changes prescribed in Section 2 of Ordinance No. 2007-02 (Exhibit A at the end of this chapter) are adopted and declared to be the Fire Code of the City of Chino, in

the County of San Bernardino, State of California, regulating and governing the safeguarding of life and property from fire and explosion hazards, hazardous materials arising from the storage, handling and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees; and each and all of the regulations, provisions, penalties, conditions, and terms of said Fire Code on file in the office of the Clerk of the City of Chino and Board of Directors of the district are referred to, adopted, and made part hereof, as if fully set out in Ordinance No. 2013-01 the Chino Valley Independent Fire District.

### **Chino Valley Independent Fire District Ordinance**

#### **ORDINANCE NO. 2013-01**

**AN ORDINANCE OF THE CHINO VALLEY INDEPENDENT FIRE DISTRICT, ADOPTING BY REFERENCE AND AMENDING THE 2013 EDITION OF THE CALIFORNIA FIRE CODE WITH ERRATA, AND THE 2012 INTERNATIONAL FIRE CODE REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS, HAZARDOUS MATERIALS AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND REPEALING FIRE CODE ORDINANCE NO. 2010-03 OF THE CHINO VALLEY INDEPENDENT FIRE DISTRICT.**

**WHEREAS**, pursuant to California Government Code Section 50022.1 *et seq.* and California Health and Safety Code Section 13869 *et seq.*, the Chino Valley Independent Fire District may adopt by reference the 2013 *California Fire Code*, with errata, and portions of the 2012 *International Fire Code* related to fire and hazardous condition prevention; and

**WHEREAS**, the District may also adopt any amendments to the 2013 *California Fire Code* and 2012 *International Fire Code* previously adopted by reference; and

**WHEREAS**, the District held a public hearing on October 9, 2013 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the 2013 *California Fire Code* as amended herein; and

**WHEREAS**, the District published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on September 14, 2013 and September 21, 2013; and

**WHEREAS**, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

**NOW, THEREFORE**, be it ordained by the Board of Directors of the Chino Valley Independent Fire District as follows:

#### **Section 1. ADOPTION OF THE CALIFORNIA FIRE CODE.**

The *California Fire Code*, 2013 Edition, with errata, together with those portions of the 2012 *International Fire Code* as published by the International Code Council, including Chapter 1 and Appendix Chapters 4, B, BB, D, F, G, H, I, J and K, not included in the 2013 *California Fire*

*Code*, collectively referred to as the "Fire Code" and with the additions, insertions, deletions, and changes prescribed in Section 2 of this ordinance are hereby adopted and declared to be the Fire Code of the District, in the County of San Bernardino, State of California regulating and governing the safeguarding of life and property from fire and explosion hazards, hazardous conditions arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Clerk of the Board of Directors of the District are hereby referred to, adopted, and made part hereof, as if fully set out in this Ordinance.

#### 1.1 Definitions.

1.1.1 The term "jurisdiction" as used in the Fire Code, shall mean the territory within the Chino Valley Independent Fire District.

1.1.2 The term "fire department" and "District" as used in the Fire Code shall mean the Chino Valley Independent Fire District.

1.1.3 The term "Board of Directors" or "Board" as used in the Fire Code shall mean the governing body of the Chino Valley Independent Fire District. The "governing body" shall mean the Board of Directors of the Chino Valley Independent Fire District.

1.1.4 The term "Chief" as used in the Fire Code shall mean the Fire Chief of the Chino Valley Independent Fire District.

#### 1.2 Fees.

1.2.1 Reasonable fees, not to exceed actual costs, may be collected by the fire code official for fire protection planning and fire prevention services included in the Fire Code and in this Ordinance.

1.2.2 Fire Suppression, investigation, rescue, and emergency medical costs are recoverable in accordance with Health and Safety Code Sections 13009 and 13009.1. Any person who negligently or intentionally, or in violation of law, causes an emergency response, including but not limited to a traffic accident or spill of toxic or flammable liquids or chemicals, is liable for the costs of securing such emergency, including those costs set out in Government Code Section 53150 et seq. Any expense incurred by the District for securing such an emergency situation shall constitute a public debt of such person and shall be collectible by the District in the same manner as in the case of an obligation under contract, expressed or implied.

### Section 2. LOCAL AMENDMENTS TO THE FIRE CODE.

The following Chapter sections of the Fire Code are hereby locally amended as follows:

**Chapter 1 Scope and Administration, Division II, Section 101.1** shall be changed to read as follows:

**101.1 Title.** These regulations shall be known as the Fire Code of *Chino Valley Independent Fire District (CVIFD)*, hereinafter referred to as "this code".

**Chapter 1 Scope and Administration, Division II, Section 102.7.1** shall be changed to read as follows:

**102.7.1 Conflicts.** Where conflicts occur between provisions of this code and referenced codes and standards, *the fire code official shall determine which provision meets the general intent of this code.*

**Chapter 1 Scope and Administration, Division II, Section 102.7.2** shall be changed to read as follows:

**102.7.2 Provisions in referenced codes and standards.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, *shall be reviewed along with the referenced codes and standards. After said review, the fire code official shall determine which provisions meet the general intent of this code.*

**Chapter 1 Scope and Administration, Division II, Section 104.10** shall be changed to read as follows:

**104.10 Fire Investigations.** The *District* shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition, *including but not limited to the unauthorized release of hazardous materials. If it appears to the investigation unit that such fire, explosion or other hazardous condition is of suspicious origin, they are authorized to take immediate charge of all physical evidence relating to the cause of the incident and are authorized to pursue the investigation to its conclusion.* Information that could be related to trade secrets or processes shall not be made part of the public record, except as directed by a court of law.

**Chapter 1 Scope and Administration, Division II, Section 105.6.15.1** shall be added to read as follows:

**105.6.15.1 Fixed Extinguishing Systems.** *An operational permit is required for a fixed extinguishing system for a Type I Hood.*

**Chapter 1 Scope and Administration, Division II, Section 105.6.29** shall be changed to read as follows:

**105.6.29 Miscellaneous combustible storage.** An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 m<sup>3</sup>) gross volume of combustible *pallets*, empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork, *green waste, composting, yard waste*, or similar combustible material.

**Chapter 1 Scope and Administration, Division II, Section 105.6.36** shall be changed to read as follows:

**105.6.36 Pyrotechnic special effects material.** An operational permit is required for *the sale of, use, storage, or handling of* pyrotechnic special effect material.

**Chapter 1 Scope and Administration, Division II, Section 105.7** shall be changed to read as follows:

**105.7 Required construction permits.** The fire code official is authorized to issue construction permits for work *including, but not limited to, the requirements as set forth in Chapter 1, Sections 105.7.1 through 105.7.16.*

*Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy or use of a building or structure or to cause any such work to be done shall make application to the District and obtain the required permit.*

**Chapter 1 Scope and Administration, Division II, Section 105.7.12** shall be changed to read as follows:

**105.7.12 Private Fire Hydrants and Related Equipment.** A construction permit is required for the installation or modification of private fire hydrants *and related on-site water appliances.*

**Chapter 1 Scope and Administration, Division II, Section 108** Board of Appeals shall be deleted and Section 108 shall be added to read as follows:

**SECTION 108 BOARD OF APPEALS**

**108.1 Board of appeals established.** *Whenever the Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Fire Code do not apply or that the true intent and meaning of the Fire Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief to the Board of Directors within thirty (30) days from the date of the decision appealed. In order to hear and decide appeals of orders, decisions and determinations made by the Chief to the application and interpretation of this code, there shall be and hereby is created an Appeals Board which shall be the District Board of Directors and will be referred to herein as the "Appeals Board." The President of the Board of Directors shall act as the Chairman of the Appeals Board.*

**108.2 Limitations on authority.** *An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The Appeals Board shall have no authority to waive requirements of this code.*

**108.3 Hearing procedures.** *Upon receipt of a request for hearing, the Chairman of the Appeals Board shall fix the time and place of the hearing which shall be at a meeting of the Appeals Board held not more than thirty (30) days after the date of filing of the request for hearing. The Appeals Board shall give written notice of the time and place of the hearing to the initiating party and the Chief. The Appeals Board shall keep a record of the proceedings of each hearing. The Appeals Board shall issue written findings and a decision within fifteen (15) days of the conclusion of the hearing which shall be mailed to the parties' first class mail, postage prepaid, at such address as they have provided.*

**108.4 Fees.** *The fire code official and staff shall act as staff to the Appeals Board and for that purpose may determine and set fees to charge the appellant to cover the cost of preparation of the record for appeal.*

**Chapter 1 Scope and Administration, Division II, Section 109.4** shall be changed to read as follows:

**109.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or *who shall fail to obtain approval by the fire code official for the commencement of construction, alteration, or repair* or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a *misdemeanor*, punishable by a fine of not more than 1,000 dollars or by imprisonment not exceeding *six (6) months*, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**Chapter 1 Scope and Administration, Division II, Section 111.4** shall be changed to read as follows:

**111.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be *subject to violation penalties as specified in Section 109.4*. *Each day that the work continues in violation of a stop work order shall be deemed a separate offense.*

**Chapter 3 General Precautions Against Fire, Section 304.1** shall be changed to read as follows:

**304.1. Waste accumulation prohibited.** Combustible waste material, as outlined in *Section 304.1.1 and 304.1.2*, creating a fire hazard shall not be allowed to accumulate in buildings or structures or upon premises. *In the event that abatement is not performed as required by a Notice of Violation or Notice to Destroy Weeds, the Fire District may seek approval from its governing body to abate said fire hazard and place a lien upon the property in which such conditions exist.*

(See Section 10. Findings. 1, 2, 3, 4, 5, 6, 8, 9)

**Chapter 3 General Precautions Against Fire, Section 304.1.2** shall be changed to read as follows:

**304.1.2 Vegetation.** *Cut and uncut weeds, grass, tumbleweeds, vines, trees, or other vegetation that is capable of being ignited and endangering property, shall be removed by the owner or occupant of the premises. All properties that are non-compliant by the official deadline will be cleared at the discretion of the Fire Marshal. Parcels 5 acres or less in size may be required to be completely cleared of all non-fire resistive vegetation growth.*

**Chapter 3 General Precautions Against Fire, Section 304.1.2.1 through 304.1.2.2.3.4** shall be added to read as follows:

**304.1.2.1 Clearance of brush or vegetative growth from roadways.** *The fire code official is authorized to require areas within 10 feet (3048 mm) on each side of portions of fire apparatus access roads and driveways to be cleared of non-fire resistive vegetation growth.*



**Exception:** Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants used as ground cover, provided that they do not form a means of readily transmitting fire.

**304.1.2.2 Clearance of brush and vegetative growth from electrical transmission and distribution lines.**

**304.1.2.2.1 General.** Clearance of brush and vegetative growth from electrical transmission and distribution lines shall be in accordance with Section 304.1.2.2.

**Exception:** Section 304.1.2.2 does not authorize persons not having legal right of entry to enter on or damage the property of others without consent of the owner.

**304.1.2.2.2 Support clearance.** Persons owning, controlling, operating or maintaining electrical transmission or distribution lines shall have an approved program in place that identifies poles or towers with equipment and hardware types that have a history of becoming an ignition source, and provides a combustible free space consisting of a clearing of not less than 10 feet (3048 mm) in each direction from the outer circumference of such pole or tower during such periods of time designated by the fire code official.

**Exception:** Lines used exclusively as telephone, telegraph, messenger call, alarm transmission or other lines classed as communications circuits by a public utility.

**304.1.2.2.3 Electrical distribution and transmission line clearances.**

**304.1.2.2.3.1 General.** Clearances between vegetation and electrical lines shall be in accordance with this Section.

**304.1.2.2.3.2 Trimming clearance.** At the time of trimming, clearances not less than those established by Table 304.1.2.2.3.2 shall be provided. The radial clearances shown below are minimum clearances that shall be established, at time of trimming, between the vegetation and the energized conductors and associated live parts.

**TABLE 304.1.2.2.3.2  
MINIMUM CLEARANCE BETWEEN VEGETATION  
AND ELECTRICAL LINES AT TIME OF TRIMMING**

<b>LINE VOLTAGE</b>	<b>MINIMUM RADIAL CLEARANCE FROM CONDUCTOR (feet)</b>
2,400-72,000	4
72,001-110,000	6
110,001-300,000	10
300,001 or more	15

For SI: 1 foot = 304.8 mm.

**Exception:** The fire code official is authorized to establish minimum clearances different than those specified by Table 304.1.2.2.3.2 when evidence substantiating such other clearances is submitted to and approved by the fire code official.

**304.1.2.2.3.3 Minimum clearance to be maintained.** Clearances not less than those established by Table 304.1.2.2.3.3 shall be maintained during such periods of time as designated by the fire code official. The site-specific clearance achieved, at time of pruning, shall vary based on species growth rates, the utility company-specific trim cycle, the potential line sway due to wind, line sag due to electrical loading and ambient temperature and the tree's location in proximity to high voltage lines.

**Exception:** The fire code official is authorized to establish minimum clearances different than those specified by Table 304.1.2.2.3.3 when evidence substantiating such other clearances is submitted to and approved by the fire code official.

**TABLE 304.1.2.2.3.3  
MINIMUM CLEARANCES BETWEEN VEGETATION  
AND ELECTRICAL LINES TO BE MAINTAINED**

<b>LINE VOLTAGE</b>	<b>MINIMUM CLEARANCE (inches)</b>
750-35,000	6
35,001-60,000	12
60,001-115,000	19
115,001-230,000	30.5
230,001-500,000	115

For SI: 1 inch = 25.4 mm.

**304.1.2.2.3.4 Electrical power line emergencies.** During emergencies, the utility shall perform the required work to the extent necessary to clear the hazard. An emergency can include situations such as trees falling into power lines, or trees in violation of Table 304.1.2.2.3.3.

(See Section 10. Findings. 1, 2, 3, 4, 5, 6, 8, 9)

**Chapter 3 General Precautions Against Fire,** Section 305.5 shall be added to read as follows:

**305.5 Spark arrestor.** All chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrestor. The spark arrestor shall meet all of the following requirements:

1. Openings shall not permit the passage of spheres having a diameter larger than ½ inch and shall not block the passage of spheres having a diameter of less than 3/8 inch.
2. The spark arrestor shall be visible from the ground and the screen or chimney cap shall be accessible and removable to allow for cleaning of the chimney flue.
3. The net free area of the spark arrestor shall not be less than four times the net area of the outlet of the chimney.
4. The spark arrestor screen shall have heat or corrosion resistance equivalent to 12 gauge steel wire, 19 gauge galvanized wire or 24 gauge stainless steel.

(See Section 10. Findings. 1, 2, 3, 4, 5, 6, 8, 9)

**Chapter 3 General Precautions Against Fire**, Section 313.1.2 and 313.1.2.1 shall be added to read as follows:

**313.1.2 Use of equipment.** *Except as otherwise provided in this section, no person shall use, operate, or cause to be operated, in, upon or adjoining any hazardous fire area any internal combustion engine which uses hydrocarbon fuels, unless the engine is equipped with a spark arrestor as defined in Section 313.1.2.1 maintained in effective working order, or the engine is constructed, equipped and maintained for the prevention of fire.*

*Exception: 1). Engines used to provide motor power trucks, truck tractors, buses, and passenger vehicles, except motorcycles, are not subject to this section of the exhaust system is equipped with a muffler as defined in the California Vehicle Code.*

*2). Turbocharged engines are not subject to this section of all exhausted gases pass through the rotating turbine wheel, there is not exhaust bypass to the atmosphere, and the turbocharger is in good mechanical condition.*

**313.1.2.1 Spark arrestors.** *1). A spark arrester is a device constructed of nonflammable material specifically for the purpose of removing and retaining carbon and other flammable particles over 0.0232 of an inch (0.58 mm) in size from the exhaust flow of an internal combustion engine that uses hydrocarbon fuels or which is qualified and rated by the United States Forest Service.*

*2. Spark arrestors affixed to the exhaust system of engines or vehicles subject to Section 313 shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.*

(See Section 10. Findings. 1, 2, 3, 4, 5, 8, 9, 10, 11)

**Chapter 5 Fire Service Features**, Section 503.2 shall be changed to read as follows:

**503.2 Specifications:** Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and Appendix D.

(See Section 10. Findings. 1, 2, 3, 4, 5, 6, 8, 9)

**Chapter 5 Fire Service Features**, Section 503.2.1 shall be changed to read as follows:

**503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 26 feet exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

(See Section 10. Findings. 1, 2, 3, 4, 5, 6, 8, 9)

**Chapter 5 Fire Service Features**, Section 503.2.3 shall be changed to read as follows:

**503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads (67,000 lbs.) of fire apparatus and shall be surfaced by *either asphalt or concrete, except when alternate surfaces are approved by the Fire District.*

(See Section 10. Findings. 1, 2, 4, 5, 6, 11)

**Chapter 5 Fire Service Features,** Section 505.1 shall be changed to read as follows:

**505.1 Address Identification.** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabetical letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm) *for one- and two-family residential dwellings, and shall be illuminated during hours of darkness. Numbers shall be a minimum of 8 inches (204 mm) high with a minimum stroke width of 1.0 inch (25.5 mm) for buildings other than one- and two-family residential dwellings.* Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.

(See Section 10. Findings. 3, 4, 6, 7, 9)

**Chapter 6 Building Services And Systems,** Section 605.11 shall be changed to read as follows:

**605.11 Solar photovoltaic power systems.** Solar photovoltaic power systems shall be installed in accordance with Sections 605.11.1 through 605.11.4, the California Building Code and the California Electrical Code.

**Exception:** Detached, nonhabitable Group U structures including, but not limited to, parking shade structures, carports, solar trellises and similar structures shall be subject to the requirements of this section, *except for sections 605.11.1 in its entirety.*

(See Section 10. Findings. 4, 5, 6, 7, 9)

**Chapter 6 Building Services And Systems,** Section 605.11.1.5 shall be added to read as follows:

**605.11.1.5 Placard.** *All photovoltaic systems shall be provided with a permanent plaque or directory of the system installed, in accordance with California Electrical Code, Section 705.10.*

(See Section 10. Findings. 4, 5, 6, 7, 9)

**Chapter 9 Fire Protection Systems,** Section 903.2 shall be changed to read as follows:

**903.2 Where required.** Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.19.

*In addition to the requirements of Section 903, automatic fire sprinklers are required for the construction of buildings 5,000 square feet or more, regardless of the use of fire walls, except for Group U occupancies not required by Section 903.2.18.*

*In all existing structures, except one and two-family dwellings, not equipped with an automatic fire sprinkler system, when additions cause the structure to exceed 5,000 square feet, the following provisions shall apply:*

- A. When such addition exceeds 5,000 square feet, but is less than 50% of the original building square footage, the addition shall be equipped with an automatic fire sprinkler system.*
- B. When such addition is 50% or greater than the original building square footage, the entire structure shall be equipped with an automatic fire sprinkler system.*

**(See Section 10. Findings. 3, 4, 6, 7, 10, 11)**

**Chapter 32 High-Piled Combustible Storage, Section 3206.1** shall be changed to read as follows:

**3206.1 General.** Fire protection and life safety features for high-piled storage areas shall be in accordance with Sections 3206.2 through 3206.10. *Table 3206.2 Footnote J is not applicable, when the building can be utilized for the installation of photovoltaic systems. The Fire Code may allow the omission as noted in Footnote J, at the request of the building owner, approval of said requirement shall be made in writing.*

**(See Section 10. Findings. 4, 6, 7, 10, 11)**

**Chapter 49 Requirements for Wildland-Urban Interface Areas, Section 4906.3.1** shall be added to read as follows:

**4906.3.1 Correction of conditions.** *The fire code official is authorized to give notice to the owner of the property on which the conditions regulated by Section 4906 exist, said notice shall be to correct such conditions. If the owner fails to correct such conditions, the governing body of the jurisdiction is authorized to cause the same to be done and make the expense of such correction a lien on the property where such condition exists.*

**(See Section 10. Findings. 1, 2, 3, 4, 5, 8, 9, 10, 11)**

**Chapter 49 Requirements for Wildland-Urban Interface Areas, Section 4908** shall be added to read as follows:

**SECTION 4908 FUEL MODIFICATION**

**4908.1 General.** *All new buildings or developments to be built or installed in a wildland-urban interface area as set forth in Chapter 49 shall be provided with an area of defensible space. This area shall be called the fuel modification area.*

**4908.2 Plans.** *Fuel modification plans shall be submitted to and approved by the fire code official, plans shall include both preliminary and final fuel modification plans.*

**4908.3 Maintenance.** All elements of the final fuel modification plans shall be maintained in accordance with said plans and are subject to the enforcement process outlined in the Fire Code.

(See Section 10. Findings. 1, 2, 3, 4, 5, 8, 9, 10, 11)

**Chapter 49 Requirements for Wildland-Urban Interface Areas,** Section 4909 shall be added to read as follows:

**SECTION 4909 PRECAUTIONARY REQUIREMENTS**

**4909.1 Restricted entry to public lands.** The Chief is authorized to determine and publicly announce when wildland-urban interface areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of wildland-urban interface areas, except public roadways, inhabited areas or established trails and campsites that have not been closed during such time when the wildland-urban interface area is closed to entry, is prohibited:

**Exceptions:**

1. Residents and owners of private property within wildland-urban interface areas and their invitees and guests going to or being on their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the Wildland Firefighting Service.

**4909.2 Smoking prohibition.** Lighting, igniting or otherwise setting fire to or smoking tobacco, cigarettes, pipes or cigars in wildland-urban interface areas is prohibited.

**Exception:** Places of habitation or within the boundaries of established smoking areas or campsites as designated by the fire code official. No person shall smoke within 30 feet of combustible vegetation.

**4909.3 Outdoor fires.** Outdoor fires shall not be built, ignited or maintained in or upon wildland-urban interface areas.

**Exception:**

1. Gas or charcoal fuel within habited premises where such fires are a minimum of 30 feet from a grass, brush or wildland area.
2. During non-fire season and in a designated State Park campsite.

The burning of rubbish, trash or combustible waste material is not permitted.

**4909.4 Ashes and coals.** Ashes and coals shall not be placed, deposited or dumped in or on wildland-urban interface areas.

**Exceptions:**

1. In the hearth of an established fire pit, camp stove or fireplace.
2. In a noncombustible container with a tight fitting lid, which is kept or maintained in a safe location not less than 10 feet (3048 mm) from nonfire-resistive vegetation or structures.
3. Where such ashes or coals are buried and covered with 1 foot (305 mm) of mineral earth not less than 25 feet (7620 mm) from nonfire-resistive vegetation or structures.

**4909.5 Use of fire roads and defensible space.** Motorcycles, motor scooters and motor vehicles shall not be driven or parked on, and trespassing is prohibited on, fire roads or defensible space beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner that obstructs the entrance to a fire road or defensible space.

**Exception:** Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or defensible spaces, unless located 16 feet (4877 mm) or more above such fire road or defensible space.

**4909.6 Use of motorcycles, motor scooters, ultralight aircraft and motor vehicles.** Motorcycles, motor scooters, ultralight aircraft and motor vehicles shall not be operated within wildland-urban interface areas, without a permit by the fire code official, except upon clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

**4909.7 Tampering with locks, barricades, signs and address markers.** Locks, barricades, seals, cables, signs and address markers installed within wildland-urban interface areas, by or under the control of the fire code official, shall not be tampered with, mutilated, destroyed or removed.

Gates, doors, barriers and locks installed by or under the control of the fire code official shall not be unlocked.

**4909.8 Storage of firewood and combustible materials.** Firewood and combustible material shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. When required by the fire code official, storage of firewood and combustible material stored in the defensible space shall be located a minimum of 20 feet (6096 mm) from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet (4572 mm).

**4909.9 Trespassing on posted private property.**

**4909.9.1 General.** When the Chief determines that a specific area within a wildland-urban interface area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas may be restricted or closed until changed conditions warrant termination of such restriction or closure.

**4909.9.2 Signs.** Approved signs prohibiting entry by unauthorized persons and referring to this code shall be placed on every closed area.

**4909.9.3 Trespassing.** Entering and remaining within areas closed and posted is prohibited.

**Exception:** Owners and occupiers of private and public property within closed and posted areas; their guests or invitees; authorized persons engaged in the operation and maintenance of necessary utilities such as electrical power, gas,

*telephone, water and sewer; and local, state and federal public officers and their authorized agents acting in the course of duty.*

**4909.10 Tracers and engine or propellant powered devices.** *Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across wildland-urban interface areas.*

*Rockets, model planes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause fire shall not be fired or projected into or across wildland-urban interface areas.*

**4909.11 Explosives.** *Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within wildland-urban interface areas, except by permit from the fire code official.*

**4909.12 Smoking bees.** *Lighted and smoldering material shall not be used in connection with smoking bees in or upon wildland-urban interface areas, except by permit from the fire code official.*

**4909.13 Expenses of fighting fires.** *The expenses of fighting fires which result from negligence or a violation of Chapter 49 of this code shall be charged against the person whose negligence or violation caused the fire. Damages caused by such fires shall constitute a debt of such person and are collectable by the Chief in the same manner as in the case of an obligation under a contract, expressed or implied.*

**4909.14 Equipment and devices generating heat, sparks or open flames.** *Equipment and devices generating heat, sparks or open flames capable of igniting nearby combustibles shall not be used in wildland-urban interface areas without a permit from the fire code official.*

**Exception:** *Use of approved equipment in a habitated premises or designated campsites that are a minimum of 30 feet from grass-, grain-, brush- or forest-covered areas.*

**4909.15 Waste material.** *Waste material shall not be placed, deposited or dumped in wildland-urban interface areas, or in, on or along trails, roadways or highways or against structures in wildland-urban interface areas.*

**Exception:** *Approved public and approved private dumping areas.*

**4909.16 Fireworks.** *Fireworks shall not be used or possessed in wildland-urban interface areas.*

*(See Section 10. Findings. 1, 2, 3, 4, 5, 8, 9, 10, 11)*

**Chapter 56 Explosives and Fireworks, Section 5601.2 shall be added to read as follows:**

**5601.2 Permits.** *Permits shall be required as set forth in Section 105.6.*

*(See Section 10. Findings. 1, 2, 3, 4, 5, 8, 9, 11)*



**Chapter 56 Explosives and Fireworks**, Sections 5609, 5609.1, and 5609.2 shall be added to read as follows:

**Section 5609 PRIVATE USE OF FIREWORKS**

**5609.1 Fireworks Prohibition.** *The storage, use, sale and handling of fireworks is prohibited.*

***Exception:** When a city or county ordinance allows approved fireworks (commonly referred to as Safe and Sane) as defined by the California State Fire Marshal.*

**5609.2 Seizure.** *The fire code official shall have authority to seize, take, remove or cause to be removed at the expense of the owner any fireworks stored, sold, offered or exposed for sale, used or handled in violation of this code or local and state laws, ordinances or regulations.*

(See Section 10. Findings. 1, 2, 3, 4, 5, 8, 9, 11)

The following Appendix sections of the Fire Code are hereby locally amended as follows:

**Appendix D Fire Apparatus Access Roads**, Section D101.1 shall be changed to read as follows:

**D101.1 Scope.** Fire apparatus access roads shall be in accordance with this appendix, Section 503, and all other applicable requirements.

(See Section 10. Findings. 1, 2, 3, 4, 5, 6, 8, 9)

**Appendix D Fire Apparatus Access Roads**, Section D102.1 shall be changed to read as follows:

**D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt or concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 67,000 pounds.

(See Section 10. Findings. 1, 2, 3, 4, 5, 6, 8, 9)

**Appendix D Fire Apparatus Access Roads**, Section D103.2 shall be changed to read as follows:

**D103.2 Grade.** Fire apparatus access roads shall not exceed 12 percent in grade.

***Exception:** Grades steeper than 12 percent as approved by the fire code official shall be constructed with perpendicularly grooved concrete. At no time shall the grade be greater than 18 percent.*

(See Section 10. Findings. 1, 2, 3, 4, 5, 6, 10, 11)

**Appendix D Fire Apparatus Access Roads**, Table D103.4 shall be deleted and Section D103.4 shall be changed to read as follows:

**D103.4 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45720 mm) shall be provided with turnaround provisions.. *Turnarounds shall be approved by the fire official.*

(See Section 10. Findings. 1, 2, 5, 8, 11)

**Appendix D Fire Apparatus Access Roads**, Section D103.5 shall be changed to read as follows:

**D103.5 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of *an approved padlock* or when an approved key box containing the key(s) to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the fire code official.
8. Electric gate operators, where provided or required to be installed, shall be approved by the fire code official.
9. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

(See Section 10. Findings. 1, 2, 5, 8, 11)

**Appendix K Temporary Haunted Houses, Ghost Walks and Similar Amusement Uses**, Section K103.7 shall be changed to read as follows:

**K103.7 Fire Protection.** Haunted houses and ghost walks shall be provided with fire protection systems, *as required by the fire code official.*

(See Section 10. Findings. 1, 2, 3, 4, 8)

### **Section 3. GEOGRAPHICAL LIMITS.**

That the geographical limits referred to in certain sections of the Fire Code are hereby established as follows:

**3.1 Establishment of geographical limits of districts in which storage of Class I and Class II liquids in above-ground tanks outside of buildings is to be prohibited.**

The limits referred to in Section 5704.2.9.6.1 of the Fire Code in which storage is prohibited are established as commercial and residential areas, except where the fire code official has issued written approval of such storage.

**3.2 Establishment of geographical limits of districts in which storage of Class I and Class II liquids in above-ground tanks is to be prohibited.**

The limits referred to in Section 5706.2.4.4 of the Fire Code in which storage is prohibited are established as commercial and residential area, except where the fire code official has issued written approval of such storage.

**3.3 Establishment of geographical limits of districts in which the storage of flammable cryogenic fluids in stationary containers is to be prohibited.**

The limits referred to in Section 5806.2 of the Fire Code in which storage is prohibited are established as commercial and residential areas, except where the fire code official has issued written approval of such storage.

**3.4 Establishment of geographical limits of districts in which storage of liquefied petroleum gas is to be restricted.**

The limits referred to in Section 6104.2 of the Fire Code in which storage is restricted are established as:

Heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L).

All areas, when in the opinion of the fire code official the location of storage would create a hazard to occupants or property owners, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons.

**Section 4. REPEAL OF CONFLICTING ORDINANCE.**

That Fire Code Ordinance No. 2010-03 of the District entitled AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE CHINO VALLEY INDEPENDENT FIRE DISTRICT, COUNTY OF SAN BERNARDINO, CALIFORNIA, ADOPTING VARIOUS SECTIONS OF THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE, AND THE 2010 EDITION OF THE CALIFORNIA FIRE CODE, WITH ERRATA RELATED TO HAZARDOUS CONDITIONS AND MATERIALS AND FIRE PREVENTION and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 5. SEVERABILITY.**

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Directors of the District hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 6. RIGHTS RESERVED.**

That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action or existing, under any act or ordinance hereby repealed as cited in

Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 7. PUBLICATION.**

The District Clerk of the Board shall certify to the adoption of this ordinance and shall cause a summary thereof to be published at least five (5) days prior to the meeting at which the proposed ordinance is to be adopted and shall post a certified copy of the proposed ordinance in the office of the Clerk of the Board and within fifteen (15) days of its adoption shall cause a summary of it to be published, including the vote for and against the same, and shall post a certified copy of the adopted ordinance in the office of the Clerk of the Board, in accordance with California Government Code Section 36933.

**Section 8. DATE OF EFFECT.**

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on January 1, 2014 which is to be no less than thirty (30) days from and after the date of its final passage and adoption.

**Section 9. CEQA EXEMPTION.**

The District finds that the changes made to the Fire Code are enacted to mitigate threats to public peace, health and safety from earthquakes, high winds and fire. Therefore, it can be seen with certainty that the adoption of this ordinance will not have a significant effect on the environment and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines. District staff is directed to file a Notice of Exemption within five (5) days of adopting this ordinance.

**Section 10. FINDINGS.**

The Board of Directors hereby finds that the proposed amendments to the Fire Code are reasonable and necessary because of local climactic, geologic and topographical conditions within the District's jurisdiction. This finding is supported and based upon the following express findings which address each of these conditions and present the local situation which make the proposed amendments necessary:

1. The climate weather patterns within the District include frequent periods of drought and low humidity adding to the fire danger. Fire season can be year-round in this region.
2. During the summer months the dry winds and existing vegetation mix to create a hazardous fuel condition which has resulted in large loss vegetation and structure fires. Summer temperatures exceeding one hundred degrees (100°), and severe "Santa Ana" winds frequently occur and can move a fire quickly throughout areas of the District. Multiple shifting wind patterns throughout the canyon areas add to the difficulty in suppressing fires.
3. Because of weather patterns, the District has experienced a need for water conservation. Due to the storage capacities and consumption, and a limited amount of rainfall (drought conditions), future water allocation is not fully dependable. While sound management of the water resources is possible, demands and possible critical depletions on an already stressed water supply can most assuredly be predicted.

4. Features located throughout the District are major roadways, highways, freeways and flood control channels which create barriers and slow response times. Other unique factors which create barriers and slow response times are the multiple canyons located within the District and the large California Institute for Men property.

5. The topography is also very steep in large areas of the District affecting the rate of fire spread and response times.

6. Due to the sloping in the regional valley where the District is located, as well as the present street and storm drain design, heavy rainfall causes roadway flooding and landslides which at times may make an access route impassable.

7. The District has within its boundaries active seismic hazards. Seismic activity within the District occurs yearly and a fire potential exists with these active faults. Existing structures and planned new development are at serious risk from an earthquake. This risk includes fire, collapse and the disruption of water supply for firefighting purposes. Areas can also become isolated as a result of bridge, overpass and road damage and debris.

8. Structures in close proximity to each other pose an exposure problem which may cause a fire to spread from one structure to another as well as to the wildland area.

9. For practical and cost reasons, many new structures are built of wood construction. Many existing structures also have wood shake roofs. The potential for a conflagration exists due to the design and density of current structures.

10. Electrical supply and telephone communication failures occur due to high winds as well as others reasons. Water supply pumps and early notification cannot always be counted on.

11. Narrow and winding streets with little circulation and streets designed as storm drains impede emergency vehicle access and evacuation routes.

Each of the numbered findings above is located below the section to which it relates.

**REVIEWED, APPROVED AND ADOPTED this 9<sup>th</sup> day of October, 2013.**

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Sarah Evinger, President  
Board of Directors  
Chino Valley Independent Fire District

**ATTEST:**

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Sandra Heney  
Clerk of the Board

I, Sandra Heney, Clerk of the Board of the Chino Valley Independent Fire District, hereby certify that foregoing Ordinance No. 2013-01 was duly introduced and placed upon its first reading at a regular meeting of the Board of Directors of the Chino Valley Independent Fire District on the 11th day of September, 2013, and that thereafter, said Ordinance was duly reviewed, approved and adopted, at a regular meeting of the Board of Directors of the Chino Valley Independent Fire District on the 9<sup>th</sup> day of October, 2013, by the following vote, to wit:

**AYES: BOARD MEMBERS: Evinger, DeMonaco, Espinosa, Gray, Johsz**

**NOES: BOARD MEMBERS: None.**

**ABSENT: BOARD MEMBERS: None.**

**ABSTAIN: BOARD MEMBERS: None.**

Section 12: Chapter 15.34 of the Chino Municipal Code is amended and shall read as follows:

#### **Chapter 15.34 - CALIFORNIA EXISTING BUILDING CODE**

**Sections:**

**15.34.010 - Adoption of California Existing Building Code.**

**15.34.010 - Adoption of California Existing Building Code.**

There is adopted by reference the 2013 California Existing Building Code incorporating the 2012 International Existing Building Code. That certain document, three copies of which are on file with the City of Chino, being marked and designated as California Existing Building Code, 2013 Edition as copyrighted 2013 by the International Code Council, is adopted as the California Existing Building Code of the City of Chino, to promote public safety and welfare by reducing the risk of death or injury that may result from effects of earthquakes on existing unreinforced masonry bearing wall buildings in the City of Chino and prescribing standards of inspection thereof; and each and all such regulations are referred to, adopted and made a part hereof as though fully set out in this chapter.

Section 13: Chapter 15.36 of the Chino Municipal Code is amended and shall read as follows:

#### **Chapter 15.36 - POSTING OF UNREINFORCED MASONRY BUILDINGS**

**Sections:**

**15.36.010 - Purpose.**

**15.36.020 - Scope.**

**15.36.030 - Definitions amended.**

**15.36.040 - General requirements.**

**15.36.050 - Validity.**

**15.36.010 - Purpose.**

The purpose of this chapter is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of earthquakes on buildings of unreinforced masonry bearing wall construction.

**15.36.020 - Scope.**

The requirements of this chapter shall apply to all buildings as required by other provisions of this code including all unreinforced masonry bearing wall structures constructed prior to the adoption of earthquake design requirements by this jurisdiction. (Exception: This chapter shall not apply to a detached Group R, Division 1 occupancy containing less than five dwellings used solely for residential purposes.)

**15.36.030 - Definitions amended.**

For the purpose of this chapter, certain terms, phrases, words, and their derivations shall have the meaning herein.

- A. The word "shall" is mandatory and the word "may" is permissive. Words not defined shall be given their common and ordinary meanings.
- B. "Unreinforced masonry bearing walls" are masonry walls having all of the following characteristics:
  - 1. Provide the vertical support for a floor or roof;
  - 2. Have a total superimposed load over one hundred pounds per lineal foot;
  - 3. Have an area of reinforcing steel less than fifty percent of that required by the California Building Code.

**15.36.040 - General requirements.**

- A. It shall be the responsibility of the owner of an identified unreinforced masonry building to post in a conspicuous place visible before or upon entry into the structure with the following wording:

"NOTICE

This building has been identified by City of Chino as having potentially hazardous unreinforced masonry bearing walls subject to Chapter 122 of Division 1 of Title 2 of the California Government Code.

In the event of an earthquake, this building could be subject to structural damage that could cause death or injury to its occupants and/or persons near the building exterior."

- B. The posting notice shall be of durable metal and shall be a minimum of eight and one-half inches by fourteen inches. Lettering shall be no smaller in size than one-quarter inch and shall have a contrasting color as a background. Posting notice shall be printed in both English and Spanish.

- C. Posting shall be completed with thirty days from adoption of the ordinance codified in this chapter or as determined by the building official.

**15.36.050 - Validity.**

The City Council declares that should any section, paragraph, sentence, or word of this chapter or of the code hereby adopted for any reason be invalid, it is the intent of the City Council that it would have passed all other portions of this chapter independent of the elimination hereof any such portion as may be declared invalid.

Section 14: Chapter 15.40 of the Chino Municipal Code is amended and shall read as follows:

**Chapter 15.40 - NEW HOME CONSTRUCTION**

**Sections:**

- 15.40.010 - Definitions.**
- 15.40.020 - Notice to buyers.**
- 15.40.030 - Features and amenities.**
- 15.40.040 - Developer's security deposit.**
- 15.40.050 - City's inspection.**
- 15.40.060 - Buyer's inspection.**
- 15.40.070 - Occupancy permits.**
- 15.40.080 - City's remedies.**
- 15.40.090 - Attorney's fees and costs.**

**15.40.010 - Definitions.**

For the purposes of this chapter the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is mandatory and "may" is permissive. Words not defined shall be given their common and ordinary meaning.

- A. "Building official" refers to the Director of Community Development or his designee. As such, the building official shall have authority to adopt rules and regulations to clarify and interpret the provisions of this chapter. He may also approve the variations when such variations are not inimical to the life, health, safety or welfare of the public and are necessary because of particular or peculiar circumstances, and do not violate the intent or purpose of this chapter.
- B. "Developer" means any natural person, corporation, partnership, association or other entity seeking to construct new residential dwellings for sale or reconstructing existing residential dwellings for sale.
- C. "Residential dwelling" means a building or portion thereof designed and constructed exclusively for residential occupancy, including one-family, two-family or multiple dwellings, excepting motels, hotels and rental dwelling units not for resale.

**15.40.020 - Notice to buyers.**

- A. A developer of any residential dwelling shall provide the following information to every potential buyer:



1. The list of features and amenities filed with the building official pursuant to this chapter;
2. The brand names of each of the major components contained in the features and amenities list which were installed in the residential dwelling sought to be sold to the potential buyer;
3. The manufacturer's warranties for each component contained in the features and amenities list;
4. Any and all representations regarding the quality of construction of the residential dwelling including the warranty that the dwelling is constructed in a good, workmanlike manner;
5. Any and all discrepancies between the residential dwelling unit sought to be sold to the potential buyer and the developer's model dwelling displayed by the developer;
6. The buyer's right to inspect and approve the functionality of each major component contained in the features and amenities list and the quality of construction of the residential dwelling and to require the developer to remedy any substantial defects therein pursuant to Section 15.40.060 of this chapter;
7. The distance between the residential dwelling unit sought to be sold from any property which is being used or zoned for an agricultural use and a disclaimer regarding the length of time that the agricultural use or zone shall continue. The disclaimer shall read as follows:

**"NOTICE REGARDING  
AGRICULTURAL USES**

Please be advised that many properties within the City of Chino are presently being used for agricultural purposes or are zoned for agricultural purposes. The distance between this residential dwelling and the nearest property currently being used for agricultural purposes is \_\_\_\_\_. The distance between this residential dwelling and the nearest property zoned for agricultural purposes is \_\_\_\_\_.

In addition, you are hereby advised that the seller of this residential unit cannot represent the period of time that nearby properties used or zoned for agricultural purposes will continue to be so used or zoned. Because the nearby properties used or zoned for agricultural purposes involve complex and legal factual questions, no representation can be made, nor should be made, regarding the length of time that these nearby properties will continue to be used or zoned for agricultural purposes."

8. The current zoning of all surrounding properties within six hundred sixty feet of the residential dwelling offered for sale by the developer; provided, that such notice has been approved by the Director of Community Development;
9. The name, address and phone number of the developer's representative authorized to effectuate and coordinate compliance with the provisions of this chapter, and

10. The schedule and procedure by which the developer intends to comply with the provisions of this chapter.

- B. Concurrent with the execution of any documents for the sale and purchase of a residential dwelling, the developer shall again provide the information contained in subsection A of this section and obtain the buyer's acknowledgment of receipt thereof. Furthermore, the developer, as a condition for the issuance of occupancy permits, shall file the buyer's acknowledgment of receipt of said information with the building official.

#### **15.40.030 - Features and amenities.**

Prior to the issuance of building permits for any residential dwelling, the developer shall file a list of features and amenities with the building official. The list of features and amenities shall contain the following information:

- A. Each major component to be installed in each residential dwelling including, but not limited to, refrigerators, stoves, microwave ovens, dishwashers, garbage disposals, trash compactors, heating and air conditioning units, solar units, vacuum units, swimming pools, spas, patios, landscaping and alarm systems.
- B. Any and all representations to be made to the buyers of the residential dwellings pertaining to the features and amenities to be installed, the quality of construction of the residential dwellings including the normal warranty that the residential unit will be constructed in a good workmanlike manner, and any other representation regarding the developer's efforts to comply with the provisions of this chapter.
- C. The name, address and phone number of the developer's representative authorized to effectuate and coordinate compliance with the provisions of this chapter; and
- D. The schedule and procedure by which the developer intends to comply with the provisions of this chapter.

#### **15.40.040 - Developer's security deposit.**

- A. Prior to the issuance of building permits, the developer shall post security for the inspection of each residential dwelling to ensure compliance with the city's building ordinances, the functionality of the dwelling's major components as contained in the developer's warranties, conditions of approval as may be imposed by the approving authority in accordance with the provisions of Title 20 (Zoning) of this code, environmental mitigation measures imposed in accordance with the California Environmental Quality Act (Public Resources Code Sections 21000 through 21177) and the provisions of Chapter 9.40 (Noise) of this code.
- B. The security to be posted by the developer shall be in an amount and in the form specified by the building official, who may require cash, bonds, letters of credit or any combination thereof.
- C. Both the amount and form of security may be appealed to the City Council, provided that the developer files an appeal with the city clerk within ten days of the decision of the building official.

- D. The building official shall retain a security deposit required of any developer for a period of one year from the close of escrow of the residential dwelling for which the security deposit was required. However, the building official may release any part or all of a developer's security deposit, provided the amount so released does not exceed the amount per dwelling deposited, by a multiple of the number of home buyers who have released the developer from liability under this chapter and provided that the buyer's written releases are filed with the building official.

**15.40.050 - City's inspection.**

- A. At the request of the new homeowner, within ninety days after the close of escrow, the building official shall inspect, or cause to be inspected, each residential dwelling to insure the developer's compliance with the requirements of this chapter. For this purpose, the building official may contract with independent inspectors to conduct the inspections required by this chapter and is authorized to execute said contracts subject to the approval of the city attorney. The costs of the services of any such inspector shall be paid from the security posted by the developer whose residential dwellings are being inspected.
- B. The building official shall require the developer to make any and all corrections reasonably necessary to bring each residential dwelling into compliance with the requirements of this chapter. The building official's corrections shall be based upon the inspector's findings and recommendations.

**15.40.060 - Buyer's inspection.**

- A. Prior to the close of escrow for the sale of each residential unit, the developer shall afford the buyer the opportunity to inspect and approve the operational aspects of each major component contained within the features and amenities list and the quality of construction of the residential dwelling.

Thereafter, the developer and each buyer shall prepare a joint statement containing all corrections agreed to be made and all disputes for which no agreement has been reached. The joint statement shall also contain a time period by which all agreed corrections are to be made by the developer provided that the period shall not exceed ninety days from the date of the joint statement. Furthermore, the developer shall file the joint statement with the building official as a condition for the issuance of an occupancy permit for each residential dwelling.

- B. Following occupancy, each buyer shall have ninety days from the close of escrow in which to register complaints with the developer regarding substantial defects or deviations of the requirements set forth in this chapter. Thereafter, the developer and buyer shall meet and confer in good faith regarding the resolution of the buyer's complaints or objections.

**15.40.070 - Occupancy permits.**

The building official may refuse to issue occupancy permits for any residential dwelling unless and until the developer has complied with the requirements of this chapter including any and all corrections reasonably required by the building official.

**15.40.080 - City's remedies.**

- A. In the event the developer fails to make the required corrections, the building official may, after fifteen days written notice to the developer to make such corrections, utilize the developer's security and cause the corrections to be performed.
- B. In the event a developer fails to comply with the requirements of this chapter, the building official may also refuse to issue any additional building permits or occupancy permits to said developer. Prior to doing so, the building official shall notify the developer in writing that occupancy permits or building permits are being withheld pending compliance with this chapter, the reasons therefor, and notice the decision may be appealed to the City Council; provided, that a written notice of appeal and reasons therefor is filed with the City Clerk within fifteen days of the decision of the building official.
- C. In refusing to issue any additional building permit or occupancy permit to a developer, the building official may also issue such permits in phases so as to require the developer to comply with the provisions of this chapter on certain designated residential dwellings before receiving such permits on other residential dwellings.

**15.40.090 - Attorney's fees and costs.**

In the event that the buyer of a residential dwelling unit institutes legal action against the developer to compel compliance with this chapter and prevails, the buyer shall be entitled to reasonable attorney's fees and costs.

Section 15: Chapter 15.42 of the Chino Municipal Code is amended and shall read as follows:

**Chapter 15.42 - GREEN BUILDING STANDARDS CODE****Sections:****15.42.010 - Adopted.****15.42.010 - Adopted.**

There is adopted by reference the 2013 California Green Building Standards Code. That certain document, three copies of which are on file with the City of Chino, being marked and designated as the California Green Building Standards Code, 2013 Edition as copyrighted 2013 by the California Building Standards Commission, is adopted as the California Green Building Standards Code of the City of Chino.

Section 16: Chapter 15.43 of the Chino Municipal Code is amended and shall read as follows:

**Chapter 15.43 - BUILDING ENERGY EFFICIENCY STANDARDS CODE****Sections:****15.43.010 - Adopted.****15.43.010 - Adopted.**

There is adopted by reference the 2013 Building Energy Efficiency Standards Code. That certain document, three copies of which are on file with the City of Chino, being marked and designated as

the Building Energy Efficiency Standards Code, 2013 Edition, is adopted as the Building Energy Efficiency Standards Code of the City of Chino.

Section 17: Chapter 15.44 of the Chino Municipal Code is amended and shall read as follows:

#### **Chapter 15.44 - ON-SITE CONSTRUCTION DEVELOPMENT**

**Sections:**

**15.44.010 - Plan checking and inspection— Required.**

**15.44.020 - Plan checking and inspection—Fee.**

**15.44.030 - Construction hours.**

**15.44.010 - Plan checking and inspection— Required.**

To ensure compliance with state or local laws, each person constructing or causing to be constructed any building, dwelling, private, public, or semipublic development for commercial or industrial or related purposes, which proposes to utilize on-site drainage, shall prepare engineering drawings in accordance with the requirements, standards and specifications of the City, which shall be approved and inspected by the City Engineer.

**15.44.020 - Plan checking and inspection—Fee.**

A fee shall be charged for all plans, reviewed and approved by the City Engineer, and for inspection of the construction for such on-site drainage facilities construction development. The fee shall be in the amount prescribed in the comprehensive fee schedule of the City, codified in Appendix J of this code, to offset the City's costs for all personnel, time, equipment, facilities and administration performed pursuant to this section.

**15.44.030 - Construction hours.**

- A. Construction shall occur only between the hours of seven a.m. and eight p.m. Monday through Saturday, with no construction allowed on Sundays and Federal holidays. For the purposes of this section, construction shall mean any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, streets and other paving, utilities, filling, grading, excavation, mining, dredging, drilling operations, or pile driving.
- B. The Director of Community Development may approve exceptions to the hours of construction noted in Subsection A of this section, provided that the change in hours does not adversely impact the adjacent neighborhood.

Section 18: Chapter 15.48 of the Chino Municipal Code is amended and shall read as follows:

#### **Chapter 15.48 - SECURITY AND SAFETY STANDARDS FOR CONSTRUCTION**

**Sections:**

**15.48.010 - Purpose.**

**15.48.020 - Application.**

**15.48.030 - Definitions.**

**15.48.040 - Compliance—Required.**

**15.48.050 - Compliance—Time—Procedure.**

- 15.48.060 - Security standards—Generally.**
- 15.48.070 - Security standards—Residential units.**
- 15.48.080 - Security standards—Commercial/Industrial building.**
- 15.48.090 - Exceptions—Criteria for approval.**
- 15.48.100 - Testing.**
- 15.48.110 - Appeals.**
- 15.48.120 - Enforcement.**
- 15.48.130 - Violation—Penalty.**

**15.48.010 - Purpose.**

The City declares the provisions contained in this chapter both desirable and necessary for the safety and protection of human life and property.

**15.48.020 - Application.**

The provisions of this chapter shall be applied at such times as building permits are issued for new building construction or any structural addition to an existing building. The existing structure shall meet the provisions of this code when additions thereto are constructed.

**15.48.030 - Definitions.**

For the purpose of this chapter, the definitions given in this section shall govern the meanings of the following words and phrases:

- A. "Building official" means the building official of the City.
- B. "Building permit" means approval to commence construction issued by the building official upon determination that all plans and specifications for a proposed building or structure conform to the City's codes and standards.
- C. "Locks" include the following:
  - 1. "Cylinder spring dead latchset" means a latching device and strike plate which is positively held in deadlatch position when the door is closed by means of an added integral slide trigger mechanism. The complete set shall consist of pin tumbler cylinder key operation from the exterior and a knob, thumbturn, or lever handle from the interior.
  - 2. "Dead-latching lockset" means a lock similar to the cylinder spring dead latchset, except the lockset shall consist of a knob on both sides and shall be locked or unlocked by a pin tumbler cylinder key from exterior and a turn button from interior.
  - 3. "Panic-free lockset" means a high security lockset with a one-inch throw deadbolt and a cylinder guard. The deadbolt is retracted simultaneously by single action of the interior knob for panic escapement.
  - 4. "Double cylinder deadlock" means a bolt with one inch throw which has no automatic spring action and which is operated by a pin tumbler cylinder key from either side of the door. The bolt must be steel or contain steel embodiments.

5. "Single cylinder deadlock" means a bolt similar to the double cylinder deadlock, but actuated by a pin tumbler cylinder key from the outside and a thumbturn on the inside and is positively held fast when in the projected position.
- D. "Lock components" include the following:
1. "Cylinder guard" means a hardened free-turning steel ring surrounding the exposed portion of the lock cylinder and is so fastened as to protect the cylinder from wrenching, prying, cutting, or pulling by attack tools.
  2. "Insert" means a hardened steel pin contained in the bolt and located to prevent bolt cutting with common tools.
  3. "Security strike" means a heavy gauge steel strike with four off center screws one and one-half inches long permitting full penetration into the rough buck. Approximate dimensions: three and five-eighths inches by one and one-fourth inches.

**15.48.040 - Compliance—Required.**

Materials, methods of construction or structural design limitations provided for in this chapter are to be used unless an exception is granted.

**15.48.050 - Compliance—Time—Procedure.**

All construction plans and drawings for structures and additions thereto submitted to the City for a building permit shall note the requirements of this chapter and incorporate the provisions into the plans and drawings. After the effective date of the ordinance codified in this chapter, the building official shall not issue a building permit to any person, firm or corporation that proposes to erect, construct or enlarge any building or structure, or cause the same to be done, without providing verification that the building or addition conforms to the regulations set forth in this chapter.

**15.48.060 - Security standards—Generally.**

- A. Louvered windows shall not be used when any portion of the window is less than twelve feet vertically or six feet horizontally from an accessible surface or any adjoining roof, balcony, landing, stair tread, platform or similar structure.
- B. Overhead garage doors shall be equipped with slide bolts which shall be capable of utilizing padlocks with minimum nine thirty-seconds (9/32) inch shackle.
- C. Where sliding or accordion doors are utilized, they shall be equipped with guide tracks which shall be designed so that the door cannot be removed from the track when in the closed and locked position.
- D. Sliding glass windows and doors shall be equipped with a pin-joined locking mechanism containing a heavy duty bolt which locks the door securely to adjacent stationary window.
- E. Windows and sliding glass doors may have iron grill work for protection if the grillwork can be opened easily from the inside without the use of any tool or key.

**15.48.070 - Security standards—Residential units.**

The following special provisions shall apply to residential buildings in the City in addition to the general security standards contained in Section 15.48.060:

**A. Doors shall comply with the following regulations:**

1. All exterior swinging doors shall be of solid bore construction with a minimum thickness of one and three-fourths inches, or with panels not less than nine-sixteenths inch thick.
2. Any swinging door leading from a garage into a residence, shall be of solid core construction with a minimum thickness of one and three eighths inches.
3. All swinging exterior doors and doors leading from garage areas into dwellings shall be equipped with a one-inch deadbolt locking mechanism. The deadbolt shall have a minimum bolt throw of one-inch and shall be equipped with a steel insert and a free turning cylinder guard.

**EXCEPTION.** Exterior swinging doors leading into garages have a minimum requirement to be equipped with a dead latch locking mechanism.

4. Main entrance door shall be operable from the inside without the use of a key or any special knowledge or effort.
5. All entry doors on upper floors to apartments not containing alternate emergency escape routes shall use panic-free double locksets.
6. When entry doors are doubles, one leaf shall be held in position by hand bolts at top and bottom with a minimum penetration into floor and jamb of one inch.
7. Hinges which are exposed to the exterior shall be equipped with nonremovable hinge pins or a mechanical interlock to preclude removal of the door from the exterior by removing the hinge pins.
8. All front exterior doors shall be equipped with a wide angle one hundred eighty degree door viewer, except where occupant has clear vision of the area immediately outside the door without opening the door.
9. Trimmers on exterior doors shall be four inches by four inches trimmer, well nailed to the king stud and accurately set to receive the finish door jamb. This requirement shall apply only to new construction.
10. Exterior doors with glazing within forty inches of any locking mechanism shall be protected by rated burglary resistant glazing or a double cylinder deadbolt lock.

**B. Address markings shall comply with the following regulations:**

1. All residential structures shall display a street number in a prominent position so that it shall be easily visible from the street. The numerals in these numbers shall be



no less than four inches in height, of a color contrasting to the background and located so they may be clearly seen and read.

2. In multiple-family dwelling complexes, each residential building shall display a street number in a prominent position. It shall be lighted (equipped with a photo sensitive automatic lighting device) and be easily visible from a street, driveway or pedestrian walkway. Said identification shall be no less than six inches in height and of a color contrasting to the background. The entrance of each dwelling unit shall have a unit identifying number, letter or combination thereof, displayed or adjacent to the dwelling unit door and be no less than three inches in height and of a contrasting color to the background.
3. Maps of the complex shall be furnished to the police and fire departments upon completion of construction. The maps shall include building identification and unit identification.

C. Lighting shall conform to the following regulations:

1. Provisions for lighting must meet design review standards before approval.
2. All exterior doorway entrances shall be equipped with photo sensitive automatic lighting devices capable of providing at least one footcandle of light at ground level during hours of darkness.
3. Aisles, passageways, mailbox locations, patio and balconies, recreation buildings, laundryrooms, within multiple-family dwelling complexes shall be equipped with security lighting devices such as photo sensitive or automatic lighting devices capable of providing at least .25 footcandles of light at ground level during hours of darkness.
4. Open parking lots and carports of multiple-family dwelling complexes shall be equipped with photo sensitive or automatic lighting devices capable of providing at least one footcandle of lighting on the parking surface during hours of darkness.
5. All lighting devices shall be protected by vandal-resistant covers.

**15.48.080 - Security standards—Commercial/Industrial building.**

The following special provisions shall apply to all commercial/industrial buildings and additions thereto constructed in the City in addition to the general security standards contained in Section 15.48.060.

A. Door security shall meet the following specifications:

1. All exterior swinging doors shall be equipped with a one-inch deadbolt locking mechanism. The deadbolt shall have a minimum bolt throw of one inch and shall be equipped with a steel insert and a free turning cylinder guard.
2. Swinging exterior glass doors, wood or metal doors with glass panels, solid wood or metal doors shall be constructed or protected as follows:

- a. Wood doors shall be solid core construction with a minimum thickness of one and three-fourths inches.
    - b. Hollow metal doors shall be constructed of a minimum equivalent to sixteen U.S. gauge steel and have sufficient reinforcement to maintain the designed thickness of the door when any locking device is installed; such reinforcement being able to restrict collapsing of the door around the locking device.
  3. Except when double cylinder deadbolts are utilized, any glazing utilized within forty inches of any door locking mechanism shall be constructed or protected as follows:
    - a. Fully tempered glass or rated burglary resistant glazing; or
    - b. Iron or steel grills or at least one-eighth inch metal with a maximum two-inch mesh secured on and easily removable from the inside of the glazing may be utilized; or
    - c. The glazing shall be covered with iron or steel bars of at least one-half inch round or one inch by one-fourth inch flat metal, spaced not more than five inches apart and secured on and easily removable from the inside of the glazing;
    - d. Items b and c shall not interfere with the operation of opening windows if such windows are required to be openable by the California Building Code.
  4. Hinges for outswinging doors shall be equipped with nonremovable hinge pins or a mechanical interlock to preclude removal of the door from the exterior by removing the hinge pins.
  5. The jamb on all aluminum frame swinging doors shall be so constructed or protected to withstand sixteen hundred pounds of pressure in both a vertical distance of three inches and a horizontal distance of one inch each side of the strike, so as to prevent violation of the strike.
  6. In multiple-occupancy office buildings, all entrance doors to individual office suites shall meet the construction and locking requirements for exterior doors.
- B. Windows shall meet the following specifications:
1. Windows shall be deemed accessible if less than twelve feet above ground or adjacent to any pedestrian walkway.
  2. Accessible windows having a pane or opening exceeding ninety-six square inches, with the smallest dimension exceeding six inches, and not visible from a public or private thoroughfare shall be protected in the following manner:
    - a. Fully tempered glass or burglary resistant glazing; or
    - b. Window barriers may be used but shall be secured with bolts which are nonremovable from the exterior while remaining removable from the interior:

- i. Interior or exterior steel or iron bars of at least one-half inch round or one inch by one-quarter inch flat metal spaced not more than five inches apart and securely fastened; or
    - ii. Interior or exterior iron or steel grills of at least one-eighth inch metal with not more than a two-inch mesh and securely fastened.
  - c. The protective bars or grills shall not interfere with the operation of opening windows if such windows are required to be openable by the California Building Code.
3. Hinges for outswinging doors shall be equipped with nonremovable hinge pins or a mechanical interlock to preclude removal of the door from the exterior by removing hinge pins.
  4. All hatchway openings on the roof of any building or premises used for business purposes shall be secured as follows:
    - a. If the hatchway is of wooden material, it shall be covered on the inside with at least sixteen U.S. gauge sheet steel, or its equivalent, attached with screws.
    - b. The hatchway shall be secured from the inside with a slide bar or slide bolts.
    - c. Outside hinges on all hatchway openings shall be provided with nonremovable pins when using pin-type hinges.
  5. All air dust or air vent openings exceeding ninety-six square inches on the roof or exterior walls of any commercial building shall be secured by covering same with either of the following:
    - a. Iron or steel bars of at least one-half inch round or one inch by one-fourth inch flat metal spaced not more than five inches apart and securely fastened; or
    - b. Iron or steel grills of at least one-eighth inch with a maximum two-inch mesh and securely fastened;
    - c. If the barrier is on the outside, it shall be secured with bolts which are nonremovable from the exterior;
    - d. The above must not interfere with venting requirements, creating a potentially hazardous condition to health and safety, or conflict with the provisions of the California Building Code or Title 19, California Administrative Code.
- C. Permanently affixed exterior ladders leading to roofs shall be fully enclosed with sheet metal to a height of ten feet. This covering shall be locked against the ladder with a case hardened clasp secured with nonremovable screws or bolts. Hinges on the cover will be provided with nonremovable pins when using pin-type hinges. If a padlock is used, it shall have a hardened steel shackle, locking at both heel and toe, and a minimum five-pin tumbler operation with nonremovable key when in an unlocked position.

**D. Lighting and address markings shall conform to the following specifications:**

1. The address number of every commercial building shall be located and displayed so that it is easily visible from the street. The numerals in these numbers shall be no less than eight inches in height and be of a color contrasting to the background. In addition, any business which affords vehicular access to the rear through any driveway, alleyway or parking lot shall also display the same numbers on the rear of the building.
2. All exterior doors to commercial buildings shall be equipped with a lighting device capable of providing a minimum of one footcandle of light. All exterior bulbs shall be protected by weather and vandalism resistant covers.
3. Open parking lots, and access thereto, providing more than ten parking spaces and for use by the general public, shall be provided with a maintained minimum of one footcandle of light on the parking surface from dusk until the termination of business every operating day.

**15.48.090 - Exceptions—Criteria for approval.**

The building official may approve any material method of construction or structural design not specifically provided for in this chapter; provided that:

- A. He finds the proposed design to be satisfactory and the material and method of work offered is for the purpose intended;
- B. He finds the materials, method of construction and structural design is at least equivalent to that prescribed in this chapter in quality, strength, effectiveness, crime resistance, durability and safety;
- C. The fire department has determined that the alternative is in conformance with the California Administrative Code.

**15.48.100 - Testing.**

Whenever there is insufficient evidence of compliance with the provisions of this chapter or evidence that any material or any construction does not conform to the requirements of this chapter, or in order to substantiate claims for alternate materials or methods of construction as allowed by Section 15.48.090, the building official may require tests as proof of compliance to be made at the expense of the owner or his agent by an approved agency.

**15.48.110 - Appeals.**

- A. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the provisions of this chapter, a board consisting of the Fire Chief, the Community Development Director and the Chief of Police, or their appointed representatives, shall hear all disputes. The board shall adopt reasonable rules and regulations for conducting its hearings and will issue written findings and conclusions within ten days.

- B. If the applicant is not satisfied with the decision of the board, the applicant may, within twenty days from the date the notification of denial was mailed to the applicant, appeal to the City Council by written notice of appeal, accompanied by the payment of a fee as determined by resolution of the City Council. The appeal shall be filed in duplicate and shall set forth specifically wherein the board's findings were in error.
- C. The board shall make a report to the City Council disclosing in what respect it failed to find that the provisions of this chapter were met. The City Council may, by a four-fifths vote of the whole of the council, grant any appealed application.

#### **15.48.120 - Enforcement.**

The building official or his authorized representatives are empowered and directed to administer and enforce the provisions of this chapter relating to physical security requirements for buildings in the City.

#### **15.48.130 - Violation—Penalty.**

Any building or addition thereof constructed subsequent to the effective date of the ordinance codified in this chapter which is not in compliance with the provisions of this chapter shall not be given a final inspection or right of occupancy by the City until all applicable provisions of this chapter are complied with.

Section 19: Chapter 15.50 of the Chino Municipal Code is amended and shall read as follows:

### **Chapter 15.50 – ENFORCEMENT**

#### **Sections.**

##### **15.50.010 - Violations.**

##### **15.50.020 - Penalties.**

#### **15.50.010 - Violations.**

- A. It shall be a misdemeanor for any person to alter, construct, convert, demolish, enlarge, equip, erect, improve, maintain, move, occupy, repair, or use any building or structure in the City, or cause or permit the same to be done, contrary to or in violation of any provision of any code adopted under this title. A person shall be guilty of a separate and distinct offense for each and every day during which any violation of any provision of any code adopted under this title is committed, continued, or permitted to be committed or continued.
- B. It shall be a misdemeanor for any person to fail to comply with a notice or order to comply or repair issued under any provision of any code adopted under this title. A person shall be guilty of a separate and distinct offense for each and every day that he or she fails to comply with the notice or order. A VIOLATION OF THIS SUBSECTION IS INDEPENDENT AND DOES NOT DEPEND ON A FINDING THAT THE PERSON CITED ALSO VIOLATED ANOTHER PROVISION OF THIS CODE. IT SHALL NOT BE A DEFENSE TO A PROSECUTION UNDER THIS SUBSECTION THAT THE PERSON CITED UNDER THIS SUBSECTION WAS FOUND NOT GUILTY OF THE UNDERLYING VIOLATION.]

**15.50.020 - Penalties.**

Every person found guilty of a misdemeanor shall be punishable for each separate offense by a fine not exceeding one thousand dollars or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

Section 20: Chapter 15.60 of the Chino Municipal Code is amended and shall read as follows:

**Chapter 15.60 - SAFETY ASSESSMENT PLACARDS****Sections:**

**15.60.010 - Intent.**

**15.60.020 - Application.**

**15.60.030 - Definitions.**

**15.60.040 - Placards—Content.**

**15.60.050 - Placards—Depiction.**

**15.60.060 - Penalty for violation.**

**15.60.010 - Intent.**

This chapter approves the use of standard placards to indicate the condition of buildings and structures for continued occupancy and authorizes the building official, or his or her authorized representative, to post such placards at each entry point to a building or a structure upon completion of a safety assessment.

**15.60.020 - Application.**

The provisions of this chapter shall apply to the occupancy of all buildings and structures subject to the regulatory jurisdiction of the City of Chino.

**15.60.030 - Definitions.**

The term "safety assessment" shall mean a visual, non-destructive examination of a building or structure by the building official or his or her authorized representative for the purpose of determining its suitability for continued occupancy.

**15.60.040 - Placards—Content.**

The following are descriptions of the official placards to be used to designate the condition for continued occupancy of buildings or structures, copies of which are depicted in the addendum to Section 15.60.050:

1. **INSPECTED—Lawful Occupancy Permitted.** This placard is to be posted on any building or structure wherein no apparent structural hazard has been found. However, it is not intended to mean that there is no damage to the building or structure. This placard shall be printed with a green background or on green paper, for easy recognition.
2. **RESTRICTED USE.** This placard is to be posted on any building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The person who posts this placard shall note in general terms the type of damage encountered and clearly and concisely describe the restrictions on

continued occupancy. This placard shall be printed with a yellow background or on yellow paper, for easy recognition.

3. **UNSAFE—Do Not Enter or Occupy.** This placard is to be posted on any building or structure that has been damaged so severely that continued occupancy poses a threat to life or safety. Buildings or structures posted with this placard shall not be entered under any circumstance, unless authorized in writing by the Building Official or his or her authorized representative. However, City safety assessment personnel and teams shall be authorized to enter these buildings or structures at any time. This placard is not to be used as or considered to be a demolition order. The person who posts this placard shall note in general terms the type of damage encountered. This placard shall be printed with a red background or on red paper, for easy recognition.
4. **Jurisdictional Seal, Code Reference and Responsible Department.** Each such placard shall contain the Seal of the City of Chino, a reference to the provisions of the City Code pursuant to which such placard was authorized, and the responsible department name, address and phone number.

#### **15.60.050 - Placards—Depiction.**

The placards authorized by the preceding Section 15.60.040 are depicted in the following tables:

Table 15.60.050.a

# INSPECTED

## LAWFUL OCCUPANCY PERMITTED

This structure has been inspected (as indicated below) and no apparent structural hazard has been found.

Date \_\_\_\_\_  
Time \_\_\_\_\_

☐ Inspected Exterior Only

☐ Inspected Exterior and Interior

Report any unsafe condition to local authorities; re-inspection may be required.

Inspector Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Facility Name and Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Caution: Aftershocks since inspection may increase damage and risk.)

This facility was inspected under emergency conditions for the:



**City of Chino**  
Building & Safety Division  
13220 Central Avenue  
Chino, CA 91710  
(909) 334-3251

**Chino Municipal Code Chapter 15.60**  
Inspector I.D. / Agency \_\_\_\_\_  
\_\_\_\_\_

**DO NOT REMOVE, ALTER, or COVER this PLACARD**  
**Until Authorized by City Building & Safety Division**  
(Violation is punishable as a Misdemeanor, under Chino Municipal Code Section 15.60.060)



Table 15.60.50.b

## RESTRICTED USE

**Caution:** This structure has been inspected  
and found to be damaged as described below:

Date \_\_\_\_\_

Time \_\_\_\_\_

(Caution: Aftershocks since inspection may  
increase damage and risk.)

This facility was inspected under emergency  
conditions for the:



**City of Chino**  
Building & Safety Division  
13220 Central Avenue  
Chino, CA 91710  
(909) 334-3251

**Chino Municipal Code Chapter 15.60**  
Inspector I.D. / Agency

**Entry, occupancy, and lawful use are  
restricted as indicated below:**

☐ Do not enter the following areas:

☐ Brief entry allowed for access to contents:

☐ Other restrictions:

**Facility Name and Address:**

**DO NOT REMOVE, ALTER, or COVER this PLACARD**  
**Until Authorized by City Building & Safety Division**  
(Violation is punishable as a Misdemeanor, under Chino Municipal Code Section 15.60.060)

Table 15.60.50.c

**UNSAFE**  
**DO NOT ENTER OR OCCUPY**  
**(THIS PLACARD IS NOT A DEMOLITION ORDER)**

This structure has been inspected, found to be seriously damaged and is unsafe to occupy, as described below:

Date \_\_\_\_\_

Time \_\_\_\_\_

This facility was inspected under emergency conditions for the:

Do not enter, except as specifically authorized in writing by the City.  
Entry may result in death or injury.

Facility Name and Address:



**City of Chino**  
Building & Safety Division  
13220 Central Avenue  
Chino, CA 91710  
(909) 334-3251

Chino Municipal Code Chapter 15.60  
Inspector I.D. / Agency

**DO NOT REMOVE, ALTER, or COVER this PLACARD**  
**Until Authorized by City Building & Safety Division**

(Violation is punishable as a Misdemeanor, under Chino Municipal Code Section 15.60.060)

**15.60.060 - Penalty for violation.**

- (a) It shall be a misdemeanor for any person to occupy any building or structure in violation of the placard posted thereon pursuant to this chapter. A person shall be guilty of a separate and distinct offense for each and every day that he or she fails to comply with such posted placard.
- (b) It shall be a misdemeanor for any person to remove a placard posted on any building or structure pursuant to this chapter.
- (c) Every person found guilty of a misdemeanor shall be punishable by a fine not exceeding one thousand dollars or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

Section 21: Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have enacted this Ordinance and each section, subsection, sentence, clause and phrase hereof irrespective of any determination of invalidity.

Section 22: The City Clerk of the City of Chino shall certify to the passage and adoption of this Ordinance and shall cause the same to be published in the Chino Champion, a newspaper of general circulation, printed and published within said City in accordance with the provisions of the Government Code.

ADOPTED THIS 5<sup>TH</sup> DAY OF NOVEMBER 2013.

  
DENNIS R. YATES, MAYOR

ATTEST:

  
ANGELA ROBLES, CITY CLERK

State of California            )  
County of San Bernardino    ) §  
City of Chino                 )

I, Angela Robles, City Clerk of the City of Chino, do hereby certify that the foregoing Ordinance of the City of Chino was duly adopted by the City Council at a regular meeting held on the 5<sup>th</sup> day of November 2013.

AYES:           COUNCIL MEMBERS: YATES, ELROD, HAUGHEY, ULLOA

NOES:           COUNCIL MEMBERS: NONE

ABSENT:        COUNCIL MEMBERS: DUNCAN

  
ANGELA ROBLES, CITY CLERK